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A

CONTROVERSY

BETWEEN

“ERSKINE” AND “W. M.”

ON THE

PRACTICABILITY

OF

SUPPRESSING GAMBLING.

RICHMOND:

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# PREFACE.

The within articles were originally published (except "Erskine's" last) in the Richmond Whig, and when application was made to "Erskine" to consent to their re-publication in this form he put his consent upon the condition that he was to be permitted to answer "W. M.'s" last article and to revise and correct whatever inaccuracies which may, through the despatch with which his articles were furnished to the press, have crept into them.

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...ish two reasons, either of which will be found unanswerable:  
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so were Charles James Fox and Richard Brinsley Sheridan, and  
among the men who occupy the relationship to this age they did  
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who are equally as fond of cards, and human nature is the same  
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"The name of Cassius honors this corruption,  
And chastisement doth therefore hide its head."

218387





## CONTROVERSY.

### CAN GAMBLING BE SUPPRESSED?

*To the Editor of the Whig:*

The prominence given to the above subject at this time, by the authorities and the press of this city, will furnish, I trust, a sufficient excuse for the further intrusion upon the attention of the public, and more especially upon the attention of the Legislature, of sundry suggestions upon it. That gambling is a vice of no ordinary magnitude, professional gamblers themselves do not pretend to deny, that it *should be* promptly, utterly and eternally suppressed, will be universally admitted. That its suppression however is a moral, legal and literal impossibility, is equally insusceptible of dispute.

In no age of the world has gambling ever had a public advocate, or lacked private votaries. From time immemorial, it has been among the nabobs of every land, the magnates of every realm a popular past-time. Its origin is hoary with age. Before the flood Chance was a God at whose altar millions worshipped, and millions throng his temples to-day. Read the 23d, 24th, 25th and 26th verses of the first chapter of the Acts and you will find that when Barsabas and Matthias found that they were rival aspirants for a vacant apostleship, that they resolved to gamble for it, and that Matthias won it, and from that day to this, there has been a gradually growing propensity among men to submit matters alike of opinion and of feeling to the arbitrament of chance, and as long as "grass grows and water flows," so it will forever be. That this conclusion is correct, I will furnish two reasons, either of which will be found unanswerable: First, its popularity in high circles. Henry Clay and S. S. Prentiss, were in their day and generation inveterate gamblers, so were Charles James Fox and Richard Brinsley Sheridan, and among the men who occupy the relationship to this age they did to theirs, in social and political prominence, you will find those who are equally as fond of cards, and human nature is the same to-day that it was two hundred years ago, when the mighty bard of Avon made Brutus say:

"The name of Cassius honors this corruption,  
And chastisement doth therefore hide its head,"

One of the prerogatives of fame, is impunity for small vices, and all vices are small when the culprit is socially popular and intellectually great. Ministers may preach against gambling; essayists write against it; orators thunder against it; poets sing against it; mothers pray against it, and law makers legislate against it; but unite all of these vast resources of multiform power, and then throw in the gates of Hell, and altogether, they never can prevail against it. *When and where was gambling ever put down?* Who did it, and how did they do it? If it could be done at all, of course, it could be done only by law. Law is said to be the perfection of human reason, whereas, gambling is the legitimate offspring of passion, and when and where did reason ever successfully cope with passion? It may be said that there is a higher law, known as public opinion, more formidable in the suppression of vices than even the statute law. I admit the potency of public opinion, but public opinion is more emphatically expressed by the conduct than by the language of men, and, unfortunately, public opinion, as thus emphatically declared, is overwhelmingly in favor of gambling.

“ 'Tis true, 'tis pity, pity 'tis, 'tis true.”

The second reason which stands in open opposition to the suppression of gambling is, the aspect in which a law, inhibiting it, is regarded by the masses. They feel that their money is their own, and that they have the same natural, and ought to have the same legal right, to invest it as they please, as is accorded, by the law, to the tobacco, cotton or calico gambler; for, they say, the man that speculates in cotton, tobacco, calico, or anything else, is staking his money at a *risk* upon a *chance*, and is, to all intents and purposes, literally a gambler; and the only answer which can be given to this argument, is, they are neither so called or regarded. That is true, but not a whit truer than that they are, nevertheless, above and beyond all denial, gamblers—often reckless gamblers. I do not employ the term in its technical, but its literal sense; and, between a fair game of faro and a sharp trade in cotton, there exists but one striking difference. In the cotton operation, ten thousand words are interchanged, and it is rarely ever the case that ten thousand words are interchanged, without the direct, sometimes innocent, at other times malignant, infliction of more or less damage upon the truth. Whereas, at faro, not a word is spoken—if you win, you do not have to lie to do it, and if you lose your last dollar, you can then quote the message of Francis the First, to his mother: “All is lost save honor.”

Gambling is a source, never failing source, of excitement. Excitement men must have. It is as necessary to their happi-

ness as atmosphere is to their existence. Every man living is to some extent and in some form an enthusiast. Some are affected with a passion for one thing, some for another. Sculpture, painting, music, mechanism, metaphysics, mesmerism, astronomy, anatomy, geology, botany, chemistry, eloquence, poetry—all have their votaries. Their favorite passion is a hobby on which the “pent up Utica” of their feelings can take a morning or an evening ride and get an airing. Now, suppose a man does not happen to be blessed with an elaborately cultivated intellect, or a naturally refined taste, what interest can he find in one of Raphael’s cartoons, Canova’s busts, Homer’s poems or Cicero’s orations? Yet may he not be affected with the same irrepressible passion, the same burning thirst for excitement that makes enthusiasts of other men? Certainly he may, and when we look around us in the world, we find that out of every hundred men in it, ninety-nine of them have cultivated a card enthusiasm; and any law which strikes at the fullest and freest fruition of a pet passion of the million is bound to arouse the combative propensities of the masses, and they will eternally thwart and foil its execution. They can do it and they will. Every law is bound to be a dead letter when the resolute energies of an active people are arrayed in open hostility against it, and they always will be arrayed against any law which they either feel or conceive abridges their personal rights and privileges, or discriminates against them in favor of higher and more cultivated classes of society.

They say we do not object that this man shall know the “local habitation and the name” of every “bright particular star” in Heaven, and worship them all if he wants to, or that that one shall have a bed of roses on which to sleep and dream of flowers that never fade. We are willing that the lovers of music shall have a perpetual “concord of sweet sounds” to serenade them, and that the lovers of eloquence may imagine if they please that, even at this late day, they can distinctly hear the dying reverberations of the mighty thunders that burst, thousands of years ago, from the lips of Demosthenes. We care not how mad your literary or scientific enthusiasts run, nor how furiously they ride their hobbies. All we ask is, that when we want to mount ours they shall not be unceremoniously taken from us and impounded. It is idle, then, to talk about suppressing gambling. You might as well think of storming Fortress Monroe with a pop-gun, or closing up the crater of Mount Vesuvius with a cob-web. The men who pass laws against it will themselves violate the laws they enact, and the men you may appoint to execute the said laws to-day were, in all probability, bucking the “Tiger” yesterday; and if they do not do it to-day with their commissions in their pocket, will, if they are at all



given to scruples of conscience, lay down their commissions to hunt the jungle of the spotted varmint to-morrow. Under such circumstances, what is the best thing we can do? I answer, if we cannot put it down, let us diminish it as much as possible, and relieve it of all the odium it may be in our power to remove from it. As a nation we are in our infancy. The *old* United States was but in its swaddling garments when we tore away from it and tore away the best portion of its clothes. Its history furnishes no lesson from the study of which we can profit, in an effort to suppress any description of vice. We will have, then, to make a trip across the ocean and look into the history of older governments, and study the operation of their laws against gambling. For over a thousand years legislation against it was tried in vain in Europe. Within the last fifty years, however, legislation has taken it under its protection there, and the result is favorable to its diminution. In Germany and France gambling is legalized, and gambling-houses are licensed and regulated by law, and the result is that they are a source of revenue to the government, are conducted with propriety and integrity, and that there is not as much gambling as there was when they were conducted secretly against the law. Let, then, our Legislature pass an act licensing gambling, and fix the license at a *high figure*.

Let the law require that every applicant for a license shall give bond, in the sum of fifty thousand dollars, for the honest and upright management of his establishment, and the prompt payment of all its losses. Then make all manner of cheating at all manner of games, felonies, and when the keeper of a gaming house is convicted of a violation of this law, make the penalty a forfeiture of his bond, and ten years' imprisonment at hard labor in the Penitentiary. Then make it felony for any man to either keep, or frequent, and bet in an unlicensed gaming house. Who can be found then reckless enough to visit such a house, with the hungry jaws of the State prison yawning upon him, when he can enjoy precisely the same privilege under the sheltering wing of the law? The total abolition of all small gambling houses, will be the immediate and inevitable result.

Three reasons can be given to justify this conclusion. In the first place, not more than one gambler in fifty can give the bond. Secondly, nobody will patronize an unlicensed house; and, if they attempt to do it, the law against it can and will be enforced. The prejudices of the public will be aroused against any man who will seek to evade a compliance with the law, that has for its object the regulation of his honesty, and they will feel that his object was to cheat, swindle, defraud and rob the public, and that he richly deserves to be branded as a felon, and locked up in the State prison. As the law now stands, a man

can swindle you out of your last dollar at cards and then tell you that you are a sucker, and laugh in your face with impunity. Make it a felony to cheat at cards, and you will abolish half the games that are played, and drive men, who now live by cheating and swindling, into honorable avocations.

Put down small gaming houses, and you will achieve a Solferino victory over gaming itself. It is in these small establishments youths are initiated and old suckers robbed. They have their stool pigeons and decoy-ducks, drummers and pimps, like so many spies, lurking, sitting, standing, sneaking and swelling through the highways and the byways, the street corners, the bar-rooms and hotel parlors of the city. They are clothed and fed to hunt down strangers and inveigle them into their dens, where they *may* lose but *cannot* win. Men who have means and character enough to give a bond such as I have mentioned, will never resort to such low, dirty and rascally appliances to get custom. They will leave the better to obey the impulses of his own volition, and his own volition alone. Then, again, when you license such establishments, you draw aside the veil of secrecy, and make it an open show and a free fight. Every man, then, who visits these establishments may become a witness to prove the violation of any provisions of the law regulating them, and intended for the protection of the public, without being exposed himself to a prosecution, and, in effect, it will raise up thousands of sentinels to watch and superintend the management of these establishments, whereas now they are without a solitary monitor. In the next place, it will enable a landlord to enforce decorum on his premises, which he is now not always able to do, lest the vagabond whom he may eject to-day from his premises may become an informer to-morrow. And in the third place, it will shell out the puritanical hypocrites who pray in public but now bet in secret. Run up the curtain, however, and “nary” another Aminadab Slick will you ever hear groaning under the paws of the royal Bengal. Then, again, when men go to gaming houses now, they have to wait until the shades of night overlay the earth, or slink in and out at the back door; and I maintain that it is radically wrong to force free-born and high-spirited men to the desperate extremity of doing that which is bound to involve the humiliation of personal dignity, and the consciousness of more or less personal degradation. The results never can be salutary. Is it suspected that the author of the foregoing thoughts is himself a gambler? He is not. He never betted a dime in his life on faro, roulette, or any of those games, and the hints he has given above are as free from interest on the one hand as they are from prejudice on the other.

ERSKINE.

## CAN GAMBLING BE SUPPRESSED?

*To the Editor of the Whig:*

A communication, by "Erskine," with the above heading, which appeared in your issue of December 7th, has filled me, as I doubt not it has the minds of many of your readers, with sorrow. Whatever the object of the writer may have been, the article will not serve any other purpose than that of palliating the vice of gambling—a vice, as the author of the communication confesses, "of no ordinary magnitude." He wishes to see gambling promptly and finally suppressed, and what means does he use to further this important result? He uses scarcely any language but what will inevitably serve to encourage those who commit this vice to prosecute their ruinous career. He cites, for their gratification, what he alleges are Scriptural and Apostolical examples. He tells them that "before the flood," Chance was a god at whose altar millions worshipped, and that when Barsabas and Matthias, as recorded in the first chapter of the Acts of the Apostles, found themselves rival aspirants for a vacant Apostleship, "they resolved to gamble for it, and that Matthias won it." Now, to say nothing of the unhappy manner in which the latter part of the extract was penned, let me ask "Erskine" where he found out that any species of gambling prevailed before the flood? Who or what is his authority for the statement? The Bible says nothing on the subject, never mentions a single individual of that period as having anything to do with games of chance. If the Bible is silent on the subject, one is entirely at a loss to know whence the writer of this article got his information, for there is no other *authentic* history of the Antideluvian era, or, indeed, any history at all. If the assertion could have been proven, and the fact established, the period was certainly a most unfortunate one to refer to, for "Erskine," who admits the immorality of gambling, might very readily have remembered that it was on account of the vices of the men of that time that the flood came and swept them away. Who informed the author of the communication in question that Barsabas and Matthias were "rival aspirants" for the vacant Apostleship? The account in Acts, which he quotes, says nothing of their being "aspirants" to the office, says nothing of their being rivals, or desiring the position at all. What is the authority for saying that they resolved to gamble for it? The account does not state that they had anything to do with what was done on the occasion. It does not inform us that these two Disciples were even present at the time referred to. What does he get his information from? If he had examined the narrative, instead of trusting to some vague recollection of it, as he seems to have done, he would have seen that the lot was cast by others. It



is evident, from the language, that these two Disciples had nought to do with the act which elevated them to office. They did not gamble for the position, nor did anybody gamble on the occasion, as can be shown by a most simple illustration. When a landed estate is to be divided between (say) three heirs, and into three equal parts, it is a most common thing for three tickets, representing these three portions, to be placed in a common receptacle, and each heir draws out one of those tickets, and takes the part of the land designated by the ticket. This is the modern lot, and corresponds to the ancient lot, in principle, such as was used by the Apostles in the selection of one to fill the vacancy occasioned by the Apostasy and death of Judas, and by the Roman soldiers as to who should have the seamless coat of the crucified Jesus. There was no gambling in the case, no property of one man passing to the hands of another upon a turn of a die, without any equivalent—the circumstance, and almost alone circumstance, which constitutes the essence and vice of gambling.

In further illustration of his idea that gambling will go on, this writer informs us of the “popularity of this practice in high circles,” arguing from this circumstance that the evil has too strong a position to be overthrown. The gentleman might as well have argued the same thing in respect to other evil courses. Mr. Clay and S. S. Prentiss, he tells us, gambled freely, and so did Charles James Fox, and Richard Brinsley Sheridan. All of which is true, and some of these men were guilty of other vices also. Mr. Prentiss not only gambled, but was notoriously a dissipated, drinking man, who died before his time, from his excesses. Mr. Fox not only gambled, but kept a mistress, was a rake generally, wore his shirt-bosom all open in a very vulgar, indecent way, and was rarely, as Mr. H. Walpole tells us, purified by ablutions. Were all these things popular in high circles? Did the fact that Mr. Fox committed these things prove that they were popular in high circles? Mr. Richard Brinsley Sheridan not only was a most reckless gamester, but he habitually drank himself to the most beastly intoxication, and was drowned in debt, and hunted by sheriffs, and trusted by no one, and died man-forsaken, and God-forsaken, and was found dead in a room, not a fit habitation for swine. Were all these things popular in high circles, because Mr. Sheridan who committed them, was, on account of his brilliant talents, admitted to the best society? Is it the sober truth in the case, Mr. Editor, that,

“The name of Cassius honors this corruption?”

Or does the corruption dishonor the name of Cassius? Did Charles James Fox enjoy the high moral position of William

Pitt who never gambled, and nearly always had Mr. Fox "sub pollice?" Did poor Sheridan, the very sight of whom, we suppose, reminded men of cards, ever occupy the eminence and have the influence of Wilberforce, or George Canning? These men certainly did not attain the weight they would have secured, if they had been free from this vice, and the corruption surely dishonored "the name of Cassius." The names of the prominent persons mentioned by the writer of the article under consideration did not, could not give dignity or innocence to the practice in question, and there is nothing in the fact that these men were guilty of this vice, to show that this practice cannot be successfully opposed, or will continue to be committed with no important diminution, as long "as grass grows, and water flows." The argument, to my mind, sir, is wholly destitute of force, or even plausibility.

"Erskine" asks, in italics, "when and where was gambling ever put down?" If the gentleman had familiarized himself with the history of gaming, he would have known that the public opinion, of which he speaks slightly, as rather inclining to the other side, *has put an end to female gambling for money.* This practice on the part of females is now very rare, not unblushingly committed as it was in the seventeenth century, when it called forth the elegant satire of Joseph Addison. This was no small triumph. But I must ask, when was robbery ever put down thoroughly, or intemperance, or fraud, or slandering, or murder? Shall no true-hearted lover of his kind and country, especially in this infancy of our Confederacy, when all ought to be endeavoring to give a proper mould to its laws and its virtue, shall no virtuous patriot exert himself to put down any vice, because it has not been successfully warred against in days that are gone? Shall you, Mr. Editor, forego your laudable efforts to give form and color to the destinies of the young Republic, because evils have always existed in free governments? If this argument were fairly carried out would it not strike a death-blow at all reformatory legislation whatsoever?

But men will not tolerate a law forbidding gambling with cards when the gambling of trade is allowed and protected. This is another argument. It almost carries its refutation on its face, from the simple fact that trade lacks the essential feature which constitutes gambling. There is no gaining your neighbor's goods, without giving him an equivalent. You part with goods, and get money. There is merely in the transaction a calculation of probabilities and the laws of trade, which the most comprehensive mind makes by. If a man deceives his neighbor, of course it is a mere case of fraud. But there is no such thing in the case as two men meeting in a room, and one, after the management of some pieces of paper, carrying off the money of the



other, without giving him one cent's equivalent. Of course there is exchange or trade cannot exist; but in gambling nothing is given, while the other is deprived of everything. The want of parallelism, between the two cases, is almost too palpable to allow of discussion. This writer is, of course, no gambler, as he tells us so; but he has certainly taken up this plausibility, so often heard among the advocates of this practice, without bestowing on it the analysis which he is evidently capable of giving it. I commend his argument on this point to his reëxamination.

The more I read this article, Mr. Editor, the more I am struck with its want of logical coherence and force. "Excitement men must have," he tells us, and because the minds of men, in accordance with a law of their nature, love and cultivate innocent enthusiasm in the line of sculpture, painting, music, astronomy, poetry, eloquence, etc., therefore, no attempt to curb the indulgence of a guilty and pernicious passion like that of gaming can be expected to be successful. Could any reasoning possibly be more unsound? Ninety-nine men out of every hundred, he informs us, have cultivated "a card enthusiasm," and it is "a pet passion of the million." Now, if by "card enthusiasm," he means a passion for gambling for money; and, by the subsequent language, that gaming for the purposes of gain is "a pet passion of the million," I must be permitted to doubt the correctness of this estimate of the proportion such persons bear to the community. The present writer has never lived or visited in a community in Virginia, or heard authentically of one, where the proportion of gamblers was greater than that of ten to a hundred, if it was that even. I do not think that there is a neighborhood of gentlemen in Virginia where they would not deem it an insult to have it said of them that ninety-nine out of a hundred of them had cultivated a passion for cards, or, in other words, played cards for money, for we are talking of this, and nothing else. Because of the wide prevalence of this practice, this writer infers that "*any* law which strikes at the fullest fruition of this pet passion" will be incessantly thwarted and foiled in its execution. Men, he says, "can do it and they will." This is his position, and yet he winds up his article by recommending a law forbidding gambling, except in certain legalized establishments. Would not a law of *this* sort strike at the *fullest* and *freest* fruition of this passion? If a man must walk or ride, say three miles in a city, to reach a lawful gambling house, and cannot game elsewhere on penalty of going to the penitentiary, or paying a heavy fine, is this no strike at the freest fruition of his passion, and if it is, as it certainly is, how, according to this writer, can his own law be carried out? There is a singular want of logic here, and yet not a more singular one than that

exhibited in the proposition which it would seem to be the object of the communication to make, viz: that certain "gambling houses" be licensed, with heavy penalties, &c., to those who game elsewhere.

Let us examine this briefly, and then close this long article. We must legalize gambling, as the French and Germans, with their notoriously low moral tone, have done. We must legalize it, as these two infidel nations of Europe have done, for they are, perhaps, the only two distinctively infidel countries on that continent, and we, in the youth of our nation, or rather infancy, must begin by imitating them. We must follow France, standing as she does on the thin crust of a social volcano, and Germany, the confessed fountain of modern infidelity in religion and morals. By way of giving a healthful moral impetus to the conscience of the young nation, we must walk in these illustrious footsteps. We must legalize "a vice of no ordinary magnitude," until our fame as gamblers rise out of obscurity, into world-wide notoriety, as these French and Germans have emerged to their bad eminence. If the writer of this proposition had wanted to encumber it with odium, he could not, perhaps, have adopted a more effectual method of doing so, than by telling the readers of the Whig that this law he recommends is a law in Germany and a law in France.

We must "legalize gambling." We forbid murder, robbery, slander, drunkenness, profane swearing, fraud and other vices, but perhaps we have made a terrible mistake all this while. Certain houses ought to have been regularly qualified by law, in which these crimes could have been committed with legal sanction, and money, too, accrue to the municipal authorities from the proprietors of these establishments. Is not this, Mr. Editor, the first time, in the history of this vice in this country, that it has been proposed to diminish it by making it absolutely a lawful act? Would it not relieve this practice of at least nine-tenths of its odium? Who that reflects a single moment can doubt this? And who that loves this nation would not tremble to see this vice taken under the protection of her laws and governors? Let this thing be done, sir, and steel does not more surely draw the lightning of the skies, than would such an act attract the wrathful curse of the Lord Jehovah.

This writer believes that, if his proposal was adopted, and gambling in unlicensed houses made a felony, the vice would be diminished, and free-born, high-spirited men would no longer be compelled to "slink in and out," by night, at the back doors of gaming houses. This whole proposition, Mr. Editor, is very summarily, but logically, disposed of. These men, who thus furtively frequent gaming places, do not "slink out and in," because these houses are unlicensed houses, but principally for

the reason that they are "gaming houses." They do not want to be recognized as gamesters, because it is a disreputable thing. And, although to legalize gaming houses would take away a large share of the odium which adheres to this practice, still any person who should gamble, and at the same time have a sensitive regard to his reputation generally, and as a safe business man more particularly, would yet enter these lawful gaming houses with a stealthy tread, and that after the shades of night have fallen on the earth. Make unlicensed gaming a felony, and you will prevent men from daring to have *unlicensed* gaming houses. This will deter men from keeping such houses, he tells us, and thus you will diminish gambling. This admission, Mr. Editor, causes the whole proposal to dwindle into nothing, and vanish like vapor before the sun.

I take my leave of the subject, simply remarking, that if men would be deterred from keeping unlicensed gaming houses, by fear of the penalty attached to a felony, they would be deterred from keeping any gaming establishments at all, if the act was by law a *felony*, to be followed, of course, by its appropriate punishment.

*Buchanan, Botetourt County, Va.*

W. M.

*To the Whig's Correspondent W. M.:*

Lord Byron it was, I believe, who said, sir,

"A man must serve his time to every trade  
Save censure—critics are already made;"

and after having given to your attempt at a reply in the Whig of Thursday, to my article on the suppression of gambling, in the Whig of the 7th ultimo, an attentive and dispassionate perusal, I regret that I am not able to resist the involuntary conclusion that your brain is pregnant with the idea that you are ordained from on high, to be one of the "ready made"—that it is not to moral reformation, but to an immoral, because a vain glorious pedantry to which you have dedicated your facile pen—that you had rather shine temporarily as a superficial reviewer, than to toil quietly in the moral vinyard as a substantial reformer, and I do sincerely regret that talents such as yours should fall under the blight of such a conceit. Why, sir, gambling itself is not more utterly destructive of all those finer sensibilities indigenous to the genial regions of a generous bosom, than is this self same ill natured propensity for carping criticism. A little ephemeral reputation it may gain for you,

"But och! it hardens a' within  
And perverts the feeling!"



‘ The man of genius who descends to it, must, sooner or later, dwindle into a mere

“ Snapper up of unconsidered trifles.”

Fastidious quibbling and cavelling, never can facilitate moral reformation. When a *material* fact is stated in a controversy, the disputant asserting it is always expected to be ready with his proof to establish it whenever it is traversed, but as it is beneath the dignity of argument and at war with the policy of logic, to fret over *immaterial* issues, it is but rarely you will ever find a veteran polemic guilty of that blunder, and when you, sir, called on me for the proof that men did gamble *before* the flood, I saw in a twinkling, that you belonged to that restive class of writers

“ Who had rather on a gibbet dangle,  
Than miss their dear delight to wrangle.”

What boots it, sir, whether gambling had its origin prior or subsequent to the deluge, when it is bound to be admitted by yourself that its origin is of immemorial antiquity. You distract attention here from the iniquity of the vice, which is of vast moment, and attract it to the date of its origin, which is of trivial consequence, wherein you remind one of that great stickler for style, who, it was once said, by a celebrated Southern Statesman, would, to round a period, d—n his grandmother; when you are luxuriating in a pet propensity, you are reckless of the moral consequences. You point to the flood, however, and call for my proof. Well, you shall have it. As a matter of course, you will not expect me to produce upon the stand a living witness. If there are any antediluvians in these parts, they are, most probably, widows or bachelors, and too sensitive about their age to admit that they know anything whatever about customs and habits that obtained in those days, but if back to that long wet spell we *must* go, you must make up your mind to travel down the highway of ages by the lamp of history, and then grope your way to Noah’s ark, by whatever light those sparks make, which, for over six thousand years, have been emitted from the furnaces of human nature. Let us take our lamp, then, and thread our way at once to the tent of Godfrey, when, at the head of an army of 200,000 men, in the year 1095, he marched against Jerusalem, and we shall find him playing a game of chess for a wager. Intermit, then, if you please, 1500 years, and swing out your lamp again over the oracular groves of Delphi, and you will find that there, about the time the inspired prophet Jeremiah died, the Pythean games were established, under the auspices of the Athenian sage Solon. Then turn your face again towards the flood, and let the light of

your lamp fall upon the walls of Corinth, and you will find that, in that city, 1326 years before the Star of Bethlehem had risen, Sisyphus the reigning king, instituted the Isthmian games, and if you will then go to Elis, you will find that the very same Olympic games, which that wise law-giver, Lycurgus, centuries subsequently restored in the same city, were, 1453 years before the birth of Christ, instituted by Idæi Daetyli. Now, what were these games. History informs us that they consisted of chariot races, horse races, foot races, wrestling, boxing, quoit pitching, &c. &c., in which the victor bore off a prize. Some times it was one thing, some times it was another, just precisely as jockey clubs in these days sometimes give a purse and at other times a pitcher or a cup. Who has not heard of the Derby Stake and the Goodwood Cup? Well, is it gambling to enter a horse for a stake at New Market or Fairfield, and, if he wins, pocket the tin. If it is not, the contestants at Elis, Corinth and Delphi did not gamble; but, if it is, they did; and why, I ask, did Cappadocia acquire so much fame for the cultivation of fleet horses, if nothing was to be made out of their speed. History also informs us that these games were witnessed by thousands of excited people. Do you believe, sir, that there ever was a foot, chariot or horse race, witnessed at any period in this world's history, by thousands of excited men, on which nothing was bet? If sincerely you do, I must turn over your amazing veridancy to the protection of Providence, for it is greatly to be apprehended that no other power is competent to take care of it. Look into the history of our fallen race, and you will find that, from that early hour in the gray dawn of creation, in which the choral song of the morning stars first broke upon the cradled slumbers of a new-born world, down to the present moment, the virtues that have adorned and ennobled, and the vices that have degraded and destroyed the human race, have been in the self-same, identical virtues and vices. That same devouring and insatiable passion to clutch gold, that same *opum furiata cupido* which makes millions of reckless gamblers to-day, has existed in all of its infernal intensification in all ages of time. Dispute it if you dare; disprove it if you can. An absolute free-man never yet breathed the vital air of Heaven. Every man's bosom is the throne of more or less passion, and all men are, to a greater or less extent, the slaves of these despotic passions. If, then, these passions have been in all ages the same, I must insist that there is no fair escape from the corollary that the same propensities, which are born of these passions to-day, must have been the natural offspring of the same passions long before that big shower ever fell. Admit this proposition, and you settle the fact, not only that spectators gambled on the Olympic, Isthmian and Pythean games, but you finally settle the flood business,

too. Deny it, and that fact must settle you. So, if you are fond of horns, I am happy to be able to congratulate you that you are about to get one. *Utrum horum maior occipe.* Pray, sir, how do you account for the strange fact that Noah did not land one of his sons on the Western hemisphere.

There is but one rational way to account for it. Ham, being a negro, was no doubt given to understand that Africa would be his legacy, and the balance of the Eastern Hemisphere was given to one of the white boys, and the whole of the Western given to the other. Allow me now to inquire did you ever make a sea voyage? If you never did I am afraid you will not appreciate the solution that follows. The fact is, the dark and dismal monotony of unbroken dullness that reigns over the broad surface of mid ocean sets over the decks of a ship like a juggling devil, mocking the burning thirst of the restive passengers, who are continually straining their ingenuity to invent some means whereby they may be able to get only one drop of the fresh, pure waters of excitement to cool their parching tongues. Under such circumstances, they play "fox and geese," "hull gull," "crack lieu," "odd or even," "heads and tails," "old sledge," or any and everything else they can play. Well, from all accounts, that must have been a lonesome time Noah and his family had floating over the dreary waste of shoreless waters, and is it not quite probable that Shem and Japheth resolved that they would have a little excitement, and played "crack lieu" for the whole of the old man's estate, and the one who was only to have had the Eastern Hemisphere won the Western, and as he did not at that time have force enough to clear and fence in this neck of woods, he no doubt concluded to let it lay out for a while; and the brothers pretending that there was no special necessity for their separation at that time, persuaded their good old father to land at Ararat, and he did. But you call on me also for the proof that Barsabas and Matthias were rival candidates, &c. Well, it seems that they had both been with our Saviour and Disciples "all the time he went in and out among them." They both knew of the vacancy, and if they both did not want it why were their names both given forth in lots? If nobody wanted it why did they put in only those two names? It is not usual for candidates to announce their own postulancy or be present when their nomination occurs. Such matters are still managed in these days precisely as they were in those—not personally, but by proxy; and while it is a compliment to their modesty that they were not present when their lots were cast, it does not follow that they did not know all about it, and respectively desire success. But when we look into the matter we find that there is just as much evidence that they were present as there is that they were absent. Where, sir, is your evidence?



that they were not present? You say they did not gamble for it. I say they did. They submitted their names to the arbitrament of chance. Their respective chances for success were staked one against the other—Barsabas lost, Matthias won. But you say it was not gambling because it wanted the cardinal ingredient of gambling, to wit: the getting of something for nothing. That is not a sound general position in the first place, and if it is, it may not in the second place be true in this instance, for it may have been the only means by which Matthias could have gotten that office at all; and if it was, he did get something for nothing. But you say gambling consists in the obtaining of one man's money by another without consideration. What is a consideration? Law-writers say it is that which one man gives of one thing in exchange for another thing. In the commercial world there is known what is technically termed chances, and when a speculator purchases one of these chances the courts have always held that the chance *was* a legal and valuable consideration; and whenever a man stakes five hundred dollars upon the turn of a card, which, if it comes his way, wins that sum for him, and which is liable to win or lose, he has simply purchased a chance to make five hundred dollars by *risking*, not paying, that sum for it. Do you reply that the chance is not worth the price paid for it? I will answer you with the old Latin maxim, "*Tantum bona valent, quantum vendi possunt*." (Things are worth just as much as they will sell for.)

You altogether misapprehend my allusion to Clay, Prentiss, Fox and Sheridan. I did not say that *because* such men gambled it could not be put down, or that they popularized it. I referred to their indulgence as, not a *cause*, but an *evidence*, of its popularity, as well as to illustrate the power of its fascination, and ergo, its capacity to resist a war upon it. For surely, if it could subdue such giant intellects as those men had, it will be a vain piece of presumption in men of less intellectual strength, to attempt and expect to subdue it. Therefore, you got in on Fox's shirt bosom, his mistress, and his general habits of debauchery, at the wrong time and place; and, sir, I respectfully inquire of you, why did you insert and comment on only a part of my quotation from the lips of Brutus? Why did you not complete it, and deny that when men of rank gamble "chastisement" *does* "therefore hide its head?" This is a sad, and yet incontrovertible truth; and yet, your avenging thunders sleep! Why? Will you leave echo to answer why? Fear you not that our readers will say of you, if you do, "he was called into court, put on the witness stand, and when asked a direct and plain question, *lo! nil dicit*."

Your next slip up is literally astounding. What do you mean by asserting that public opinion has put down gambling for

money, among females? That may be true, in good old Bote-tourt. I doubt very much whether the cultivated gentlewomen of any portion of Virginia, or any one of the Confederate States, ever did gamble, and I trust they never will; but nothing is more notorious, than that at Saratoga Springs, there is a lady's Roulett room, where gambling has raged for years. It was kept by a man whose name was Gridley. Where have you been, and what have you read for several years past, that you could have stumbled upon such an egregious error? Visit the fashionable summer resorts of Europe, and you will find and see that the women gamble more to-day than they did before the satire of Addison was written; aye, even while that same pasquinade is staring them in the face, from the eagle-eyed pages of the Spectator. Read the "Souvenirs" of our accomplished and universally admired and beloved country woman, Madam Le Vert, and you will find that she paints a picture of female gambling, at Baden Baden, from which the good and gentle ought to shrink with horror. Female gambling in the 17th century was confined to the nobility and private parties; whereas now women in Europe visit public gaming houses and fight the "Tiger" like wild cats. Funny triumph, that of Addison's.

Again, you entirely misconstrue my interrogatory, "when and where was gambling ever put down?" and treat the matter precisely as you ought to have treated it if I had asserted gambling could not and ought not to be put down. Whereas, I am absolutely advocating the only policy by which it ever has been or ever can be diminished. *Put down*, I seriously apprehend it never can be, and, I may say, I know it never can as long as it is not licensed. You sneer contemptuously at my reference to France and Germany, and denounce them as infidel nations. I deny that they are infidel nations; but if they are, is it not a burning, blasting commentary upon the hollow and impotent laws of your own christian country, that if a gentleman sits down to enjoy an evening's amusement at a card table, he may be swindled out of thousands, without having open to him any form of redress he can honorably invoke, whereas, if he loses one penny among the infidels, by foul means, their laws immediately interpose, and promptly restore it. Pray, sir, how much do you make then by your infidelity sensation? But I find I shall be compelled to resume the discussion to-morrow; when I shall do what you have not yet thought proper to do, that is come down in warm earnest upon gambling and gamblers, and prove, as I think I clearly can, sir, that instead of assailing this vice, you are encouraging and fostering it in all its most revolting putridity and iniquity, and that nine gamblers out of every ten sympathize with you, and against

ERSKINE.



To W. M.:

When you make random assertions, insusceptible of proof, as you did when you branded France and Germany with national infidelity, and declared that female gambling had been put down; and when you deny facts insusceptible of refutation, as you did when you denied that gambling is a "pet passion of the million," you excite in my mind the suspicion that you are young and reckless: and, inasmuch as you have drawn your blade on the side of the gamblers, I find vague spectral fears creeping into my bosom that that diabolical serpent that has charmed and ruined so many promising young men, by making them gamblers, is about to throw over your brilliant genius its fatal spell. The splendid intellect with which nature has endowed you has carried off my heart into captivity, and I cannot resist the inclination of my ardent temperament to commune with you affectionately and frankly. And let me commence by imploring you to turn your face and your pen against gambling. If you play and lose you'll be nicknamed a booby, and if you play and win you'll be suspected a scoundrel. Always when you lose you will pay your losses, and often when you win you will never collect your winnings. You will often have to play with men whose vulgar exultation when they beat you will disgust you, and whose terrific profanity when you beat them must shock you. The excitement gambling produces is not natural, therefore the result upon your physical condition cannot be salutary. While playing, you will often have to breath the fetid atmosphere of a close room, and forfeit that repose and exercise necessary to health, happiness and longevity, the sequel of which is almost certain to be a shattered constitution, premature old age and an ignominious grave. This counsel I should not have given you but for the fact that I have taken a fancy to you, and you know "out of the abundance of the heart the mouth speaketh," and but for the additional fact that this opposition of yours to licensing gambling amounts not only to an advocacy of gambling, but to a vindication of the very lowest and basest class of gamblers. I have already told you that your sentiments on this subject are popular, and that mine are unpopular, among the gamblers; and sir, this is literally true. There are in New Orleans about 110 gambling establishments, and when they were called upon, not long since, to vote for and against licensing gambling, but two houses voted for it. Put the same question before the gamblers of Richmond to-morrow, and they will vote it down by an overwhelming majority. The day your article appeared the *Whig* was in unusual demand among the gamblers, and, I have heard repeatedly since, that they were profoundly delighted with the signal ability with which you defended their interests. "Who is W. M.?" "Huzza for W. M.!" "W. M.'s the man for my

money," were the kind of compliments that were freely lavished upon you that day in the grogshops that class patronize, and your health was drunk a thousand and one times, my dear sir, until the joy of the revellers was put to sleep by the potency of their potations; and if you were to visit the city to-morrow, and that fact should become known to them they would be *certain* to serenade you, if they did not call upon you in a body and tender you a supper? Would you accept it? I hope not. In truth, I cannot bring myself to a realization of the fact that between you and them there is any collusion. Nay, I scorn to believe it; and I cheerfully retract the imputation made against you in the insinuation that you had drawn your blade on the side of the gamblers; and while I deplore the result of your article, I will acquit you of a sinister motive, and if you are innocent, as on my soul I believe you are, of any thing resembling a friendly purpose toward the sporting gentry, you will be at a loss to divine the cause of your sudden and marvellous popularity among that class. Proceeding, then, upon the presumption that you are innocent of the desire and ignorant of the cause of your popularity, I will with alacrity explain it to you. Then, sir, you must know that gambling, like all other avocations, is pursued by two distinct classes of men. One class, and it is much the largest, are, in their moral status, very little above thieves and cut-throats. They occupy the same level with highwaymen, in some respects, and fall infinitely below them in others. They have their cunning and their cupidity, but they lack their courage and their chivalry.

They have in their faro boxes what are called "snakes," and drugged liquors on their sideboards. They deal marked cards and turn for more money than, if they were to lose, they could pay. They have in their employ "pensioned pimps," who might, I think, be more properly designated human slough hounds, whose business it is to hunt down "old suckers" and "young green-horns" for customers, and then they have hired "cappers," who, when the customer is roped, "starts the game." In the larger cities it is said that their *cubile ferarum* are full of sensation traps, which, when they set to phizzing, will involuntarily attract attention, during which moment the silent partners of the concern, who are at their post, make a clean sweep of all the checks lying about loose—and this is the class, my dear sir, who were thrown into ecstasies by your able article. License gambling and you seal up hermetically forever the faro boxes of all such thieving scoundrels. The tax they cannot pay, the bond they cannot give, and therefore their *coupe-gorges* they cannot open. And those who could and would pay the tax and give the bond would necessarily become a police to enforce the law, whom those who violated it could never elude, but no such a po-

lice would ever be needed if it were made, as it ought to be, a felony to visit and bet in an unlicensed establishment. You *attempted* to make an argument about such a provision amounting to a restriction upon human liberty, in that it might require a man to walk or ride farther than might be agreeable to his feelings to find a licensed establishment. It was bad enough in you to offer *such* a statement for an argument. Were I to give it the attention of an answer I should become a fit subject, not for the sport of laughter, but the charity of commiseration.

But there is another class of gamblers entitled to a place in this picture. It is that class who are in favor of making cheating and swindling in gambling houses felonies, and who are also in favor of making gambling a source of revenue to the government. Among them are to be found gentlemen occupying a firm and high position in private and public confidence. Mr. Burns, of Baltimore, Md., one of them, represented a large Southern city at Cincinnati when Buchanan was nominated in '56 and at Charleston in '60, when the Convention failed to make a nomination. From the acquaintances of that gentleman I have learned the fact that he wields as much moral influence at home as any other unpretending private citizen, and that he has given more money to build churches and relieve the poor within the last ten years than any other one man on the continent, and that he is thoroughly *in otio et negotio probus* (upright in business and out of business.)

In the city of Augusta, Ga., there resides a gambler\*, a more elegant gentleman than whom no civilized country under the sun can produce. In his appearance, deportment, general education, sentiments and feelings he is a thorough and perfect gentleman.

Poor Prindle, "he sleeps his last sleep," but when he was a sojourner in "this vale of tears," he would, if he could, have dried every tear in the vale. He was the boon companion of the foremost men of the age. In dealing with men he was not only liberally honorable, but scrupulously honest. He could always borrow anybody's money and all they had. In his benevolence he was a philanthropist, and in his munificence he was a Prince. Among the churches and the poor he scattered his dollars like a husbandman in seed-time scattereth his grain. A thousand here, and a thousand there, was nothing for him to give. He did it often, and always freely. He lived a gambler, and died a gambler; but his memory lingereth among men and will not depart. Why? It has not been long since a young gambler died in Virginia, who graduated with the first honors of our first Universities, and whose accomplishments ranked him among the ripest

\* Wiley Barron.



scholars of the age. In this city, I am told, there resides at this time a professional gambler,\* whose literary attainments and colloquial gifts pre-eminently fit him to ornament and delight the most cultivated society in Christendom, and others whose established integrity commands universal respect and confidence. They, too, have given to the poor, to the army hospitals, and to churches, dollars by the thousand. Do you say I am fast becoming the eulogist of gamblers? I deny it. I am merely stating facts, the veritable existence of which you dare not deny and cannot refute. If their existence encumbers the path of your argument, don't blame me, for I did not create them.

"Thou canst not say I did it, never shake  
Thy gory locks at me."

But inasmuch as I can build an argument upon the basis which they form, I had both a moral and a legal right to refer to them; and I do solemnly assure you it is for that purpose and none other that I have referred to them at all. They are not only facts, but stubborn facts, and stand like lions in the path you and I must tread when we attempt to put down gambling. I have not mentioned one of them in a complimentary spirit. I have merely reluctantly admitted their existence in a business aspect, because they stare me in the face, and must be confronted. I have assumed that gambling cannot be directly and totally suppressed, and to support that assumption I have drawn the above truthful picture of the lives and habits of some of the men who gamble. Such men always have had, and always will have, powerful friends and hosts of them, and it is this style of men who popularize gambling and make it an irrepressible evil in the land. The true and real reason, then, why gambling never can be suppressed, is not because this or that man gambles, but because, in the first place, too many men of all classes and conditions in society are too fond of it, and in the second place, because this class of gamblers I have just described *will play an honest and a fair game*. In fact, they provide for their game such checks and safeguards as renders cheater and fraud a physical impossibility, and this is more to be deplored than admired. Would to God that there was not an honest gambler on earth, then we might suppress it; but as there are, and always will be, I am in favor of making them all so, and that is precisely what you oppose when you oppose the legislative regulations I have suggested. Plainly and bluntly stated, these are the facts. I say if we must have gambling, let us have an honest game. You say, no; if gambling cannot be put down, let fraud, cheat-

\* Andrew A. Monteiro.

ing, thieving, and villainy in it abound and flourish. At least, this must be the result of what you do, say whatever you may.

There is also another insuperable obstacle in the path of reformation. It is the fact, that no blow is aimed at *gambling*, but only at gambling *with cards*. Horse-racing for money is gambling, and is tolerated by law. Betting on elections is gambling, and is not inhibited. Lotteries and raffles are gambling, and now, while I am writing, the pastors and deacons of all the churches in New Orleans are getting up lotteries and raffles for the benefit of the army hospitals. Is it right to suppress one species of gambling and patronize another? Will not a voice come up from the dust in which the one is trampled crying out against you, trumpet tongued, "Persecution, persecution! Shame, shame!" And is there not great danger if you allow men to gamble in one way and forbid it in another, that, when you attempt to punish a culprit for gambling in his way instead of yours, the strong arm of public sympathy will be stretched forth to rescue him from your grasp. Children at school despise a partial teacher, and the grown-up children, called *the people*, will not tolerate an arbitrary law that discriminates between the fancies and tastes of men, *and they are right*. I am opposed to this mincing business, and insist that the whole hog shall be put through.

You seem to have a great passion for logic, but unfortunately your fancy for it seems to outstrip your talent. That landed estate argument that you affected to imagine was a felicitous illustration, of the manner in which Barsabas and Matthias settled who was to succeed Judas, and the Roman soldiers settled who was to have the seamless coat, is utterly seamless of even a resemblance to a parallel. When a landed estate is divided, in the way you stated, among heirs, it is not to settle who gets a lot and who loses one, but who gets *which* lot. They are all of the same value, and nothing is risked and nothing can be lost. Whereas every Roman soldier risked his claim to the coat, and all but one lost, Barsabas and Mathias, or their friends for them, risked their respective claims to the apostleship, and Barsabas lost. And this, sir, is the true, full, legal, and only correct, definition of gambling, to wit: the risk the bettor takes, and risking is always gambling, whether it be life, honors or property, that is at stake.

You seem to be electrified with a holy horror at the proposition which you say will relieve gambling of its odium. Strange infatuation this, of yours, that you can elevate and ennoble a young nation, by enhancing the odium and increasing the popular indulgence of its irrepressible vices. When you lessen the number of gamblers, are you not bound to diminish, *pro rata*, gambling. License gambling, and you will drive out of the busi-

ness, as with a thong of scorpions, nine out of ten who now follow it for a livelihood, and those you drive out will be the very men who seduce your sons and mine and the sons of our neighbors; whereas, the more honorable class, who could pay the tax and obtain a license, would scorn to even invite, much less persuade, a beardless boy to bet, and many of them would, as I am told they repeatedly have done peremptorily, forbid their admission to their rooms. And now, in conclusion; allow me to ask you: do you believe cards have ever done among sober men, the one-tenth part of the mischief liquor has among intemperate men? Yet, in this young, christian, republic, grog-shops are licensed: aye, when millions upon millions are annually falling around you, like the sere and yellow leaves fall under autumnal blasts, from the effects of the slow poisons they imbibe in these Borgia dram-shops. In these Ferarar hells, hale constitutions are sapped, the promise of youth is blasted, the hopes of age are crushed, generous hearts are broken and noble souls are lost. Yet, your christian laws license them, and that, too, when the natural result of it is to multiply drunkards, *gamblers*, and murderers, and you refuse to license gambling, when that course would be bound to diminish it. Oh! consistency, hypocrisy, and moral cowardice, where are your blushes.

ERSKINE.

*To the Editor of the Whig:*

Some ten days ago, sir, I sent you a communication, in reference to an article, on the "suppression of gambling," which had appeared in the columns of the Whig, on the 7th ult., over the pseudonym of "Erskine." I had no desire to be identified particularly with the author of the production in question, and accordingly addressed you, and, through yourself, any who might feel such interest, as the seriousness of the subject was calculated to inspire, simply making the observations of "Erskine" the theme of argumentative criticism. In that article, I was studious to avoid anything which the most sensitive courtesy could forbid. I was, therefore, somewhat surprised to see in a day or so, a letter, followed next day by a second, in the *Whig*, addressed to W. M. and signed "Erskine," in which "Erskine" arrayed himself against *me*, and that certainly not in the most refined way. Politer terms surely might have been discovered after a very brief search. If "Erskine" is not satisfied with the force of my logic in this matter, he certainly will, in his own mind, admit what ought to have been the power of my example. His impatience, as soon as he read my comments on



his argument, was decidedly interesting, as well to others, as to myself, for the simple reason that it caused to pass before the mental eye, the image of a breast sticking full of arrows, not from any particular skill in the archer, but from the breadth, and nearness of the mark. In the two letters, which "Erskine" has addressed to me, he has not succeeded in tugging one of these arrows from his grieved bosom. Although he says in regard to the fine things he writes concerning gamblers: "I do solemnly assure you, it is for that purpose (the purpose of argument) and none other, that I have referred to them at all," it is still most evident, Mr. Editor, that the effect of all this is compliment to gamesters. "Erskine" may say, he does not mean this, and of course I am bound to believe it, as he tells me so, but I am at liberty to remember that there is such a thing as "sinning ignorantly," and I incline to the opinion that the intelligent readers of the *Whig*, who were not deterred by the unique and ungracious opening of "Erskine's" letter to me from giving the rest of it a perusal, will be slow to think that there is, at all events, an adequate horror of gambling where the writer has so high an opinion of the colloquial powers, refinement and universal culture of these daily and hourly violators of public law, these main stays of a host of inferior thieves, these very pests of society. Lovers of law and morality do not generally speak in this strain, and when a writer addresses the public, recommending a certain measure against any vice, and at the same time uses language concerning its votaries, to which men are not habituated, he is entirely mistaken if he fancies they can be easily reconciled to his proposal. The way of such a reformer is through a hedge of thorns, or if I may change the language, I see "Erskine" assaying to swing against a broad, rapid and expanding channel, and borne away exhausted and terrified towards the cataract of public condemnation. But I must not stay by this abyss.

I did not mean, Mr. Editor, to raise an "immaterial issue" when I asked "Erskine" for the proof of his assertion that, "before the flood, Chance was a God, at whose altar millions worshipped." I did not care particularly how it might have been, as relates to the argument, not thinking, as "Erskine" did, that antiquity adds anything to the dignity of a *vice*! I only knew that there was no particle of evidence of gaming having gone on, in the antediluvian era, and simply designed, in calling for his proof, (which, of course, he did not have,) to throw over him, like a mantle, the confession of having made a positive statement, which was entirely without foundation. This was my chief object, and "Erskine" is welcome to the result. Of course I did not have any abstract choice, whether gaming was ancient or modern. If it had been committed prior to the

flood, that would have no more been an extenuation of it than such antiquity could diminish the guilt of the violence and bloodshed which, as we are informed, then prevailed. My object was what I have stated it to be, and "Erskine" must not blame me, or the truth-loving readers of the *Whig*, if we remember that, at least in one instance, he has shown himself capable of making a random assertion—one having its origin in a mere flight of his swift imagination.

It is true, sir, that "Erskine" proves the existence of the Isthmian, Pythean and Olympic games, which no one denied, but the earliest of them had no being for over a thousand years subsequent to the flood. I criticised, with rather an unpleasant effect on the mind of "Erskine," his positive averment that millions gamed before the flood; and he must now allow me to freshen his classical reminiscences, by calling his attention to a very prominent feature in the ancient games, which was that the prize on the various occasions was, in *itself*, usually, if not always, worthless. If "Erskine" had read his "Gibbon" or his "Kennett" lately, he would have remembered that a "simple garland" was *the* tangible prize in the races of the Roman Stadium, though money was very often given to the successful competitor by other persons. The money was not a stake, put up by the competitors themselves, but by admirers of those games, just as a pecuniary prize is now-a-days offered for the best literary work on some specified subject. *The* prize, however, was a "crown of leaves," and above and beyond that the supposed "*imperishable renown*" of the victor in the national games. The money was an incidental thing, a voluntary offering from the by-standers or officers of the games, sometimes given and sometimes not given. Ausonius, as translated by Addison, would have informed "Erskine" to this effect, as far as *the* prize of the *Grecian* games was concerned.

"Greece, in four games thy martial youth were trained;  
For heroes, two, and two for gods ordained:  
Jove bare the *olive* round his victor wave,  
Phæbus to his *apple garland* gave;  
The *pine*, Palænon; nor, with less renown  
Archemorus conferred the *parsley* crown."

The leafy chaplet, as representing the crown of undying honor, with which the victor was to be rewarded, for his own sake and that of his family for some generations, was the prize in those ancient contests. The money that might be given was not an object in the minds of more noble aspirants. If it had been in any case known to be the absorbing object of the successful contestant, when we reflect on the high ideas the ancients had of the glories of these games, it is likely that the judges would have refused to have crowned such an one, as unworthy,



in consequence of the low motive that impelled him. That betting took place among the outsiders, of course, is probable, as "Erskine" tells us. Indeed, I can inform "Erskine" of what he evidently does not know, which is, that there *were* games of *chance certainly* about the Christian era, and that money was put up, as now, by the gamesters. He did not know this, else he would have given it as an authoritative fact, instead of relying on unfounded assertions in reference to the national games. If "Erskine" was really versed in the literature of this subject as well as he seems to be in the Arcana of those unhappy men, the gamesters of the present day, he would surely have given his readers the benefit of the significant line of Perseus, as translated by Dryden,

"To shun Amez-Ace that swept my stakes away."

I have vindicated the National Games of Antiquity, Mr. Editor, from the misconceptions of the author of these letters to me, and, while I inform him of the actual gaming of a remote period, must take occasion to express my moral disapprobation of these practices—a disapprobation he has not avowed in reference to the alleged gambling of the public games in Italy and Greece. I condemn such things wherever found, whatever called, do not consider them "the legitimate offspring of human passions," as he does, but the most veritable bastards of fallen humanity, and, like other illegitimates, laboring under the ban of the virtuous and pure in every land and in every age. Acknowledging, as every one acquainted with history must do, that gaming for money had a right ancient origin, I must insist on the idea that the antiquity of the vice is no vindication of it, more than it is of any other immorality, and will only remind this writer that it was when the children of Israel, in the desert, "sat down to eat and drink, (at their idolatrous feast,) and rose up to play," (probably game,) that the Most High said to Moses, "this is a stiff-necked people, let me alone, that my wrath may wax hot against them, and that I may consume them."

"Erskine," I think, may be satisfactorily disposed of, by a few calm observations on his other points. He insists on it, that Matthias and Barsabas gambled for the vacant Apostleship, and, in the same paragraph, speaks of gambling as "a vice of no ordinary magnitude." Were these disciples of Jesus guilty of an immorality of "no ordinary magnitude." Will "Erskine" tell his Christian readers this? Solomon tells us that "the lot is cast into the lap, but the whole disposing thereof is of the Lord." Is the Lord, then, accessory to "a vice of no ordinary magnitude? If not, then, the lot and gambling are not the same thing. Apart from this consideration, I assert that they did not thus gamble, and it seems to be the result of unreflec-

tion to make up one's mind to say that they did. How could there be gaming where neither lost anything that he had previously possessed? Could men ever make anything out of each other, by this kind of gambling? This writer says the parties, each, risked his claim, but does he not see that the claim is practically a thing of naught, until after the decision of the lot? Nobody had anything to lose, and the evil of gambling lies in the fact, that one loses perhaps his all, without anything whatever in the shape of an equivalent. What "Erskine" calls a "claim," is in reality not a claim, because there is neither possession or ownership in the case. The ownership, or real claim, can only be established by the lot. He says, the chance of getting something is risked, and that judges have decided that "a chance" is a reality. But he must discriminate between this last kind of "chance" and the gaming "chance." "Erskine" knows that the lawmakers and judges decide in the matter of *gaming* that this "chance" is practically nothing. This is the essential foundation of the law. The doctrine of the law is, that except in matters of charity, or "gifts in fee simple," property shall not pass from one man's hand to another's without some return, for the reason that the principle is intrinsically vicious. If I exchange merchandise for money, with my neighbor, there is a chance that each *may* make by the operation, or if money is paid for doubtful paper, the courts will determine that "the chance" is a reality, because the paper *may* bring something. But if a gambler puts another man's money into his pocket, leaving him penniless, what chance is there that the losing man will make anything by the transaction? In trade *both* parties *may* be benefitted. In gaming only *one* can be. This is the philosophy of the vice of gambling, the theory of the laws against gambling, and however "Erskine" may deceive his own mind, I think, if he, deeming it as he does a vice of no ordinary dimensions, will analyze his thoughts, he will find, that so far from this risked chance mitigating the offence, the whole guilt of the crime, does, in a circle of fire, flash and play around this very point, this chance, which is not a chance.

"Erskine" complains that I misunderstand him in his allusions to Mr. Fox, Mr. Sheridan and others. How is this, sir? He said plainly enough that the gaming of these men showed it to be popular in the best circles, and therefore it would be almost, if not wholly, impossible seriously to diminish it. I said, in reply, that the fact of the commission of this vice by these persons no more proved it to be popular in high circles than the practice of other vices by these men proved *them* to be popular and difficult to be overcome. What other treatment could an opponent give to so transparent a fallacy? And how

have I misconstrued the writer? It would require a more plausible pen than his to show any misconstruction whatever; and he must support the weight which the refutation of his argument throws on him as well as he can.

In my letter to you, sir, I had spoken of the power of public opinion, as against gaming, and said that it had been signally shown, by the almost entire extinction of female gambling. I referred to the scathing diatribes of Addison as helping to give birth and body to this effective public sentiment. But "Erskine," with a sharpness which your readers will be at a loss to appreciate, sees something "literally astounding" in this. He points us to Germany, and to Continental Europe generally, to show that females still game fearfully, and also to a lady's roulette-room at Saratoga Springs, this latter accompanied by the very additional circumstance of being "kept by a man whose name was Grindle!" Does that refute my statement? When I spoke of Addison, and of English opinion, as moulded by his writings, did any reader of the *Whig*, except "Erskine," imagine that I was extending this influence to Germany, where a different language is used and a different type of civilization obtains? I think not. Doubtless I was understood to mean Anglo-Saxon Christendom, including America. I did mean it, and the fact was as I have stated it to be. Gaming is not now a vice among the ladies of England as it was in former days; nor is it a vice of the ladies of the Confederate States. And notwithstanding this roulette-room for females at Saratoga, there is no evidence that gaming is a general thing, even among Northern women, far as we hold Northern society to be from representing Anglo-American civilization. "Erskine" tells the readers of the *Whig*, that in Baden-Baden females gamble, and, if I may use his figure, "fight the tiger like wild-cats." But did he not see the deep into which he was plunging when he gave this information? It will be quite pleasant to all to remember that this Baden-Baden, where so odious a social evil exists, is in Germany, where gaming-houses are established by law, the very institution "Erskine" wishes to see in this State of Virginia. Does he not think that Richmond, where gambling-houses are *forbidden* by law, will compare very favorably with Baden-Baden, where they are *established* by law? Do revolting and heart-sickening scenes like those described by "Kirwan" and Madam Le Vert, as occurring among females in the lawful gaming-houses in Baden, ever transpire in Richmond, where such places are not tolerated by statute? Of course such an assertion will not be made. Leaving "Erskine," therefore, to brood over the mishap resulting from his citation, and wishing him greater foresight in future, I pass to another objection.

I endeavored, in my letter of January 9th, to discredit the



proposed law advocated by "Erskine," by reminding your readers that Germany and France were infidel nations. This, of course, was legitimate and natural, but the author of these unique letters to me denies most stoutly that these nations, who take the initiative in passing a law of the kind in question, are infidel in their character. I did not suppose this would be controverted by any one, and remark now, that if the French nation, which takes into its bosom such theological vipers as Voltaire, Rousseau, D'Alembert and Cousin, delighting to honor them, and then periodically drenching itself with human blood, proclaiming "death is an eternal sleep!" if such a people are not practically as well as theoretically infidel, it will be difficult to determine infidelity. And if Germany, furnishing the literary works, whence French infidels, Westminster Reviewers and Boston free-thinkers draw their blasphemous stores, is not as infidel a nation as any people within the limits of professed Christendom ever could be, it will appear still more difficult to decide what infidelity is. I must not, however, discuss this matter further, but willingly leave it to your readers. As for this writer's taunt, that these infidel people will compel the payment of a gambling debt, while Christian nations will not, I have only to say that if France and Germany choose to take their thieving vampires, the gamblers, under especial State protection, by securing their ill-gotten gains to them, they are not injuring any one but themselves, and if "Erskine" really wishes to see this evil diminished, he ought to be pleased to have it encompassed by as many barriers and perils as possible. Having reached the end of the gentleman's first letter, I must close, promising tomorrow to look at the second, as decidedly the most striking of the two.

W. M.

*Buchanan, Botetourt Co., Va.*

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*To the Editor of the Whig:*

The second letter of "Erskine" opens with the singular, though not seriously meant, intimation, that I am favorable to the gamblers, but as he retracts this at once, I will look immediately at his declaration that the gamblers were favorable to my plan, and against his. And first let me say that if "Erskine" heard them express themselves as thus friendly to my proposal, of course I am bound to believe him, but if he did not, himself, hear their words, I am afraid he is speaking from some such information as he had, when he stated, positively, that "before the

flood Chance was a god at whose feet millions worshipped." His friends have soothed him by telling him this, and by believing them, he has exhibited a credulity, only equalled by his vacancy of logic. His friends could not have heard the gamblers express themselves so repeatedly in my favor, because "Erskine's" associates cannot be the associates of gamesters, to hear them speak so much on one subject. "Erskine" himself certainly would not go among them to listen to their speeches. His unpopularity among them, of which he tells us, would certainly prevent their unburdening themselves in his presence, and thus furnishing him with an argument against them. If they did express themselves as against legal gaming houses, is it impossible, either in Richmond or New Orleans, that such men, in order to gain their object, should have made opposition to the plan? Are they incapable of such a ruse? No one can think that they are. Nothing is more easy than such a supposition. If they were opposed to such a law in New Orleans, what is more natural, when they *did* keep their 110 establishments *without* paying any tax? On these grounds I suspect that the real preference of the gamblers for my plan over his is somewhat of the nature of an hypothesis, which would be good, if true, but not being a sound one, is nothing worth. How, indeed, Mr. Editor, can these unhappy men be favorable to the law, which I would have passed in regard to them? It would not allow any public gaming house for them to frequent, and if they gamed in such establishments as now exist, they would be sent to the Penitentiary. Pass a law making gambling, anywhere, a felony, and instead of these men paying, as they now do, a fine, some years' incarceration would be the penalty. Could anything be more obvious, than the proposition, that the severer the punishment, the greater the probability that men will be deterred from the commission of the unlawful act? "Erskine's" law would *open* houses, where all gamblers can go, and game freely. The law I recommend would *shut up* all the gambling dens in the State, on pain of the State prison, for a term of years, if kept in any manner. What is there in this prospect so very pleasing to gamesters? What can gamblers want with a law which, instead of inflicting a pecuniary mulct, as now, would deprive them of personal liberty for a protracted period? As for the lower class of these pestilential knaves whose trade "Erskine" would legalize, does he really believe, is he so little acquainted with this world, and the history of courts and licenses &c., as to believe that these men could not unite (say a number of them) and pay the tax, requisite to keeping one of his lawful gaming places, or to believe that the worst men in the community cannot get somebody to go their security? A number of men, forming a company, carry on the legalized gambling houses in Baden-Baden, why could not a company of

gamesters, even of the worst sort, open and pay the tax on a lawful gaming place in Richmond? Why could not these vast numbers of gamesters found in the land, if their foul work is made lawful, form companies, pay the tax, and fill the purlieus of Richmond with their vile houses, while the wealthier robbers have more elegant "hells" on Main Street, and Broad? Why does not "Erskine" tremble at such a thought, and grow pale at such a prospect, instead of devoting himself as he now does, to the promotion of so terrific an object? As to the belief of this writer, if gaming is licensed, the practice will become conscientious, and we shall see a new generation of honest gamblers who would not cheat for the world, the idea simply excites wonder. Does "Erskine" really know what kind of a world he is in? Has he read the account of the "German Hells" in the *Whig* of January 15th? As soon as one reads this argument for lawful gambling houses, and thinks of "Erskine" embarking in his enterprise, with this idea, he is reminded at once of the band in Jerusalem who joined the ill-fated Absalom, and went forth "in their simplicity, and *knew not anything*."

But, Mr. Editor, we have been made acquainted with some fascinating characters, in the form of gamblers, by the author of these letters to me; men of rare genius, literary culture, fine address, and colloquial powers, that would enable them to adorn any society, however refined. They are liberal men, too, give to the poor, to the war, and to churches. They are tender-hearted men also, fond of drying up other people's tears, and walk lovingly among the woes and sorrows of this earthly vale. They are persons of fine *moral* influence, men of salutary tendencies of various kinds. These are the obstacles which "Erskine" tells me stand in the path of all who would make successful war against this dark fraternity, the gamesters. He seems to have a genuine admiration for these wonderful individuals, who have so many alluring qualities. He should remember that, by all these attractions and arts, these men simply make their victims the more numerous and unsuspecting. These shining accomplishments are a part of the instruments these persons use in carrying on their work of ruin. Has "Erskine" forgotten the pithy saying of Lord Bacon, concerning the gamester, that "the greater master he is in his art, the worse man he is"? Has he forgotten the gamester Mr. Law described, the slippery man, who ran away with a lady's daughter, "a man of great beauty, who in dressing and dancing has no superior"? Has he forgotten the elegant "Charles Price," the forger, who played the gentleman so well, and preyed on his fellow men through a long life, and at last to escape his mental agony and shame, hung himself in Tothill prison? Did Price's superior manners redeem him from the execration of his countrymen? If "Erskine" is



a lawyer, does he not know that the law, which is the "perfection of reason," gives a man no credit for his accomplishments, if he be a violator of the law? Has he never read of that capital fellow, Isaac Dumas of Oxfordshire? He sung his song well, told a good story, was apt at a sentiment, drank freely, so that at the clubs of the day—who but he! The ladies, of course, occupied his attention, and he became so great a favorite, that he took to *the road* to consolidate his ascendancy—for he was *generous*. He would have done very well to rank among the worthies mentioned by "Erskine," but the men of Oxford hung him up by his neck, agreeable as he was. I can commend "Dumas'" history to "Erskine's" meditations. He has read the great poet, let him peruse Gloster's soliloquy:

"Why I can smile, and murder, while I smile;  
And cry content, to that which grieves my heart;  
And wet my cheeks with artificial tears,  
And frame my face to all occasions.  
I'll drown more sailors than the mermaid shall;  
I'll slay more gazers than the basilisk;  
I'll play the orator as well as Nestor,  
Deceive more sily than Ulysses could,  
And, like a Simon, take another Troy.  
I can add colors to the Chameleon;  
Change shapes with Proteous, for advantage,  
And set the Murd'rous Machiavel to school,  
Can I do this, and cannot get a crown?"

Such ethereal, polished enemies of their race, sir, have not unfrequently been seen in this world of ours. These beautiful leopards, with their shining spots and silken coat, have often roamed the earth without a cage, and there ever have been *some* men, who thought they were too pretty and graceful in their motions to be put within bars, or anywise hindered in their fearful roamings. They were so pleasant—with all the blood around each mouth and dripping from their claws. "Erskine" ought to indulge in no laudatory language of these mortal foes of wives and cradled babes, and aged, palsied mothers, whose husbands, fathers and sons are in the jaws of these monsters, crunched to death. The shining qualities of such beings, used as they are to aid their ruinous emprise, become glistening vices, and men should hate their very forms and shadows with a mortal hatred. "Erskine" quotes from the Bible now and then, as he goes upon his way, in his letters. Does he find anything in the sermons or conversations of the Saviour of the world like an eulogy of the vicious, even for the sake of argument? Have gentlemanly manners in gamblers, here and there, anything worthy of a moment's thought, when men are discussing the methods of checking the depredations of these sleek savages—"these wolves in sheep's clothing?" I know "Erskine" does not consider himself the apologist for gamblers; but, when he descants

on the superior virtues of members of this heaven-cursed company, does not every gamester feel that he may be virtuous and a gamester still? Does not every youth, who reads his lucubrations, take into his mind the thought he may game to his heart's content, and yet be a "thorough gentleman," "stand high in private and public confidence," and be in benevolence a philanthropist, and in his munificence a prince? Who does not see that the effect of this is and must be evil, and only evil? How closely does this resemble the course described in Scripture of the man who "scatters firebrands, arrows and death," and of him "who leadeth his neighbor astray, and saith, am not I in sport?" When "Erskine" tells gamblers that members of their foul craft have been men of almost every virtue under heaven, does this not satisfy such persons that a gambler is not necessarily an immoral man; that he is not immoral simply because he is a gamester? When this writer tells these men that Apostles gambled, can he expect them to desire superior virtue to the Apostles; or that the young men, whose fate in this thing, at this moment, is, perhaps, balanced on a needle's point, will not be content to game deeply, if they think they shall be no worse than Apostles? If "Erskine" is, indeed, a lover of the public virtue and happiness, he ought surely to weigh well his words, lest he should bring into being results at which his very heart would turn sick. He speaks of his sons; he would be wise, perhaps, to remember that, in teaching such a doctrine, in regard to inspired Apostles, he may be sowing in the minds of those sons seeds which shall spring up and grow into a harvest of woe for them and him.

What is the meaning, Mr. Editor, of all this parade about the liberality of gamblers; the gentleman tells me, that these men give thousands of dollars to individuals and to churches. Would he receive from any man, for a gift at Christmas, money made out of "a vice of no ordinary magnitude"? If "Erskine" has a passion for building churches, would he receive assistance, from such men, to pay for their erection? I think, sir, it would evince, in any one, a very great ignorance of the laws of Providence, to expect a heavenly blessing, on a church edifice, built with ill-gotten gains, its every stone cemented with the tears and blood of the widow and the fatherless. I will do "Erskine" the credit to suppose, that, on reflection, he would not receive this cankered gold, even from the lilly hand of the finest of these murderers. The liberality of gamblers! In one very obvious sense, sir, this seeming virtue is the fruit of the life-long vice of the individual who shows it. "The substance of the diligent, (says Solomon) is precious," that is, the working man, knows the value of money because he has toiled hard to procure it. Such a man deals wisely with his means, either giving or retaining them prudently. But the gamester secures his gold without toil,



fills his coffers, out of what he calls "play," and therefore will be more likely to part with money easily, whether wisely or unwisely. His *apparent* excellence is the offspring of a *real* vice. I mean in very considerable measure. If there is any true generosity, in the heart of such a man, it is a puzzling problem to reconcile it with the rest of his character. Half the time, if not more, liberality in such men is the mere effect of a desire to impress others with the idea, that the donors are good, kind fellows, who do not care for money and would not defraud a person, no, not on any account. Indeed, they would help a poor man, instead of injuring him. The deed of charity is with them, in a large number of cases, a mere intended offset to the general cruelty of their ingenuous lives. If this man "Prindle" in Savannah, mentioned by "Erskine" would have "dried every tear" "in this vale of tears" if he could, why did he go on in a life which caused so many tears to be streaming down the scalded cheeks of misery? Why did he pass his whole career in opening the fountains of mothers' and children's sorrow, and unlocking the chambers of their groans? But I must not dwell, Mr. Editor, on this pernicious idea any longer.

"Erskine" tell us, that such men stand in the path of my argument; that a gambler in Richmond, one in Savannah, and, one who graduated some years ago at a university, very wonderful men, in his view, these occasionally found men, these scattered wrecks of human nature, stand in the highway of reform. Indeed, sir! If Richmond policemen can force their way into the polluted chambers of the gamester, and put these grand gentlemen to flight, through back-doors and small windows, will it be so impossible a thing to repress this evil, and keep it low, as you do any other vice? Detectives in your city have brought the instruments of the black art of these criminals, into the courts, and showed them before all men. They have in some cases brought their persons, and upright, brave judges, either have disposed of their cases, or shortly will do so, punishing them as they most richly deserve. There is nothing difficult in the supposition, that more stringent enactments might be passed against them, and determined officers be found to arrest them, and resolute juries to convict them, and men on the bench, the purity of whose ermine would not be sullied, by attempts to let such offenders escape through the meshes of the law. The noble and true men of Virginia, nine-tenths of whom condemn this practice, can rise in their might, and demand the passage of such laws as shall drive these men out of the land, to Germany or to France, where they can make their blood-red bread, with none, for a moment, to hinder or make them afraid. Let the public imagination of Virginia be put in full possession of all the hateful features and sad terrors of this work of darkness; let the

people become keenly and thoroughly aroused to the enormities of this thing; let ministers, and editors, and orators at the bar turn it, on every side, that men may see its hideous, devilish shape, and disgusting proportions; pass laws making it a felony and then we shall see who will be allowed to stand in the path of justice and of power. If A., under "Erskine's" plan of legal gaming houses, would be deterred from the crime by fear of a felon's cell, why should not A. and B. and C., and all men be restrained from the commission of the offence by dread of the same penalty, if there were *no* gaming houses protected by law? High position or personal gifts afford no reliable security to the violators of their nation's laws, and they know it. They would respect the majesty of the law, or they would be made to fall before it. The accomplished and popular William Dodd, perishing on a scaffold, though the first men in England tried to save him, and Lord Ferrars, going from his castle to a gibbet, and others like them, may remind "Erskine" that men "surrounded by a host of friends" cannot always, with impunity, trample on their country's will. I believe, Mr. Editor, no better law, than such an one as I have now spoken of could be devised. It may be sharp, but many diseases require the knife, and this is one of them. I believe with equal conviction that "Erskine's" proposal is the most unwise that could possibly be made. I incline to think it meets the reprobation of nearly every lover of virtue and public happiness, and trust the Legislature, at a time when so much depends on their wisdom and firmness, will display an elevation of mind and heart, worthy of its past days, and show this scheme no favor, none whatever. Let it, in a mad hour, be adopted, and not only will gambling be mightily increased, but that being the parent of many other crimes, every sluice of iniquity will fly open, and every vice rush unfettered and uncontrolled through the land.

"Erskine" says in his last letter, that he will not answer one argument of mine, as he chooses to call it, viz: an alleged objection to his scheme, to the effect, that if gaming houses are licensed, heavily taxed, and, therefore, few in number, it would be a restriction on men's liberty; as on account of the distance they would have to go, to reach a lawful gaming house, they would be put to much inconvenience. He represents me as bringing this forward as an argument against his plan. I offered no such objection. If "Erskine" read, and thought carefully on what I said, he must have seen that I only mentioned that such would be the case, in order to show one of his arguments to be self-contradictory. He had said that "*any* law which strikes at the fullest and *freest* fruition of a pet passion of the million is bound to arouse the combative propensities of the masses, and they will eternally thwart and foil its execution." This was his

assertion, and then he proposes a law, which he says *will* check this vice most sensibly; yes, "achieve a Solferino victory over gaming." When I was looking at this part of his article, I saw of course the glaring inconsistency of the two things and simply pointed it out. I asked him, how this law of his, which he says would cause the gaming houses to be few, and therefore remote from vast numbers, how a law so inconvenient, and hampering to the "pet passion of the million" could be carried out, seeing he had said the masses would "eternally thwart and foil" such a law? He writes as if I were objecting to this restraint on men's liberty, whereas my article showed him, that I wanted the penalty of a felony to hang over the head of every man who gambles. I would like to see barriers of every kind erected around this vice, and merely alluded to "Erskine's" proposed restriction of a vice which he said could not be restrained, in order to exhibit the want of logic which his recommendation involved. This was all, sir. And "Erskine's" failure to notice the true issue doubtless had its natural effect on the minds of his readers. It showed them a consciousness, on his part, that the various ideas he has on this subject are not joined in a chain which none may break.

"Erskine's" last complaint, that one kind of gambling, viz: with cards, is denounced and forbidden, while various other sorts—betting, lotteries, etc.—are allowed, I have nothing to do with. The inconsistency is in the laws of the land, not in my position. The discrimination in favor of betting, etc., is doubtless owing to the fact that these are not such formidable evils as the other; but, if my power were equal to my wishes, they would all be abolished as immoral, often ruinous, and discreditable to any individuals, companies, or especially Churches, that engage in them. "Erskine's" inquiry, which he puts to me, in reference to the fatal effects of ardent spirits, and his taking for granted that I favor the licensing of the drinking houses of the land, is of a piece with many other parts of his letters. My article of the 9th had nothing in it to raise so dark a suspicion. One would have supposed that this writer's recent Antediluvian experience would not have been so soon forgotten. The great barrister, sir, whose name "Erskine" has so innocently taken, that eloquent pleader, a man of wider fame and larger powers than his American admirer, would not have used such an assumption as this, if by it he could have taken even the strongholds of a Howard.

W. M.

*Buchanan, Botetourt Co., Va.*



To W. M.

In my rejoinder to your reply to my strictures upon the suppression of gambling, I addressed you, instead of the Editor of the *Whig*. In your sur-rejoinder, you make this allusion to that fact, "I (you) had no desire to be identified with the author," &c. How, sir, does my addressing you superinduce identification? Who you are, or what you are, I neither know nor care; I was controlled in the manner of my reply, by no other earthly consideration than one of convenience, and I shall continue to adhere to it for that reason, and for that reason only. This is a country where all honorable gentlemen occupy a common level, and if you meant to insinuate that I, in respectfully addressing you, have been guilty of taking a liberty, you certainly must be not only desperately in love with yourself, but that too under circumstances which threaten you in no manner with a rival. In your reply to my first article, you denounced one of my arguments as silly enough to "carry its refutation upon its face." One of the illustrations I had employed to elucidate another argument, you satirized in the following style: "The want of parallelism between the two cases is almost *too palpable to allow of discussion*. Mark you this is what you *said*, not what you *proved*, and in the same vein you added, "The more I read this article, Mr. Editor, the more I am struck with its want of *logical coherence and force*." Then to put a cap upon the climax that would make your harlequin uniform complete, in the exordium of your sur-rejoinder, with a sang froid that amounts to a capital joke, you declare, "I (you) was studious to avoid anything which the most sensitive courtesy could forbid," and then proceed to charge that "Erskine has arrayed himself against *me* (you) and that certainly in not the most *refined* way. Politer *terms* (you say) surely might have been discovered, after a brief search." I am not in the habit, sir, of arming myself with search warrants, to go upon expeditions of that kind. Mountains, I know there are of polite *terms*, in this age of hollow ceremonies and empty forms, but if one of them never comes to Erskine, Erskine will never go to it.

*Rien de plus estimable que la civilite, mais rien de plus ridicule et de plus a charge que la ceremonie.* (Nothing is of more value than complaisance—nothing more ridiculous than mere ceremony.)

"Ceremony

Was but devised at first to set a gloss  
On faint deeds, hollow welcomes,  
Recanting goodness, sorry ere 'tis shown."

The advice Robby Burns gave, when he said

"Ay free aff' han', your story tell,"

I generally observe whether it is

"—— wi a bosom crony,"



or a stranger I am dealing. I have long cherished a profound contempt for mere terms. They are not our masters, but are the most abject and degraded of slaves. The self-same terms may be made to convey good or evil tidings—a compliment or an insult.

After that imbecile tool of the eunuchs, the Emperor Constantius, had imprisoned his cousin Julian in that ancient residence of the Kings of Cappadocia, the castle of Marcellum, near Ceasaria, until he aroused the noble sympathies of the Empress Eusebia, he finally yielded to her sweet persuasion and sent him to reign over the country beyond the Alps, and hold in check the Sarmatians and wild Isaurians, who not seeming to respect any longer the boundaries of the Danube, were threatening to overwhelm Gaul. Julian's success was in every respect signally brilliant. He fought valiantly and governed mildly. His victories followed one upon another rapidly. When Constantius becoming jealous of his universal popularity, attempted, under a shallow pretext to rob him of the elite of his Gallic army, whereupon the army rebelled and proclaimed Julian Emperor. At first he feigned a violent hostility to the people, but no doubt that was all fixed up, as Gloster and the Duke of Buckingham fixed up before hand the scene they enacted before the Lord Mayor of London, when the crown was first tendered to the bloody tyrant. Be that as it may, Julian finally yielded, and wrote to the senate of Rome a very enthusiastic epistle on the subject. In his letter he was rather savage on the reigning Emperor Constantius. This involved the Senate in no little complexity. But they determined to gamble out of it, so they made terms trumps and won every trick. Constantius, it seems, even while he was holding the youth of Julian in prison, nevertheless attended carefully to his thorough education. Here is Gibbon's account of the cute manner in which the Senate played on that fact, "His application to the Senate of Rome which was still permitted to bestow the titles of Imperial power, was agreeable to the forms of the expiring republic. An assembly was summoned by Tertullus, prefect of the city; the epistle of Julian was read, and as he appeared to be master of Italy, his claims were admitted without a dissenting voice. His oblique censure of the innovations of Constantius, and his passionate invective against the vices of Constantius, were heard with less satisfaction, and the Senate, as if Julian had been present, unanimously exclaimed "Respect, we beseech you, the author of your own fortunes," an artful expression which according to the chance of war, might be differently explained; as a manly reproof of the ingratitude of the usurper, or as a flattering confession that a single act of such benefit to the State ought to atone for all the failings of Constantius."

Terms, sir, are mere automatons. Often a change of emphasis changes the meaning; and you are laboring under an egregious hallucination when you imagine that politeness and refinement are dependent upon terms—yea, almost as extravagant an hallucination as is that other very eccentric vagary with which you seem to be afflicted, to wit: that as long as you avoid opprobrious epithets you can be guilty of nothing “the most sensitive courtesy can forbid.” I will dispose of these propositions seriatim. The significance of terms are often regulated by the context, but much more frequently and absolutely by the spirit that prevails throughout the article in which they appear, and to saddle them with a strict letter construction, with the aroma of a liberal spirit all around and about them, is neither generous or just.

My rejoinder to you, sir, was characterized not by acrimony, but *bouhommie*. Throughout every syllable of it kindness was mingled with humor. No man could read it and fail to see that

“Forward and frolic glee was there.”

In such a spirit there is no companionship for discourtesy, and it is not for such a spirit to be trammelled by such cobwebs as are spun into “terms.” It rises above the jargon of the schools like the rising sun looms over the mists upon the mountain. That I could have meditated rudeness, it is simply ludicrously preposterous to assert, and your allusion to it is wholly gratuitous.

Permit me now, if you please, to call your special attention to the quotations from your articles, I have italicised above. The “terms” in which they are couched are indisputably the very quintessence of *refined politeness*, but the direct insinuation, which is the inevitable logical sequence of all this polite palaver, is that “Erskine” must be a chuckle-headed noodle. If I did stumble upon an illustration, wherein “the want of parallelism” is *too palpable to allow* of discussion,” and if I said other things so shallow and silly, that they were utterly destitute of *logical coherence and force*,” pitiable indeed must be my mental puerility. If there *was* no parallelism where *you say* there is none, it would have been perfectly legitimate for you in that event, to have logically *proven it*, but in *no event* could it have been proper or polite for you to have *said it*. Nevertheless, you did say it, and therein committed a flagrant outrage upon the sacred canons of common decency, and you utterly failed to prove it, whereby you have left the readers of the Whig in doubt of which it is you are the more ignorant, sound logic or true politeness. I have heard of people, who it is said,

“Compound for sins they are inclined to,  
By damning those they have no mind to.”

But it seems to be your singular misfortune to advertise your own follies, in the very flagellations you attempt to give them, in which you seem to luxuriate in "damning these sins you have a mind to." No doubt it was your own landed estate illustration that was passing unrecognized in review, before your "mental eye," when a "want of parallelism, too palpable to allow of discussion," involuntarily danced off from the point of your pen. If it was not, well may I exclaim to you in the language of St. Mathew: "And why beholdest thou the mote that is in thy brother's eye, but considerest not the beam that is in thine own eye."

"The man who hopes his bile shall not offend,  
Should overlook the pimples of his friend."

Notwithstanding, sir, you have presumed to impertinently twit me about my refinement and politeness, I must insist that you stand convicted by the record, of a rudeness rougher than I have yet perpetrated. Your "terms" may be more *recherche* than mine, but your intentions are less polite, the language you employ belongs to one school of manners and the only interpretation of which it is susceptible belongs to another, and between the two there is no affinity, and can exist no sympathy. "Your hand is the hand of Esau, but your voice is the voice of Jacob." But I am beginning shrewdly to suspect that neither your manners or logical short comings are fair game for sport. That they are the result of mental and not moral obliquities. Be that as it may, I shall pass from them to a complaint of a much graver character, that I am constrained, by a high sense of public duty, to bring against you, and to me it is a source of painful regret that while those sons of mine, to which you made so thoughtful an allusion, are rallying under the Confederate flag to battle, until we triumph, or all is over, in defence of the sovereignty of the States, I must be *coerced* to arraign and convict you at the bar of public opinion, of sentiments not only of doubtful modesty and refinement but of even questionable humanity. "Out of thine own mouth will I condemn thee."

As Terence said, *suo sibi gladio hunc jugulo.*

Not unlike the unhappy Acteon, you shall be torn to pieces by your own hounds. Here they are, Tray, Blanche, Sweetheart, and all the rest.

"His (Erskine's) impatience, as soon as he read my comments on his argument, was decidedly interesting, as well to others as to myself, for the simple reason that it caused to pass before the mental eye the image of a breast sticking full of arrows," &c., and again you say: "In the two letters which 'Erskine' has addressed to me he has not succeeded in tugging one of these arrows from his grieved bosom." It is true, then,



it would seem, that you do not only chuckle with a demoniac joy over what you suppose are the exquisite tortures of my sensibilities but your ecstasies are redoubled and *refined* in the proud contemplation of the additional fact that you are the author of my terrible agonies, the illiad of all my woes.

No wonder you emptied the quiver of your envenomed ridicule upon tears, and the poor drivelling simpleton whose ambition could soar no higher than to lead him among the distressed, in search for tears to "dry up." It is a self-evident proposition, upon the face of the record you have made, that you cherish a withering scorn for the lachrymose infirmity. On your stony heart, no doubt, drops of human woe could not descend, from pity pleading eyes, bitter enough to produce any other effect than is produced by the pattering of the wintry rain that freezes as it falls upon the mountain rock. Your savage ferocity and irrepressible vanity has but one parallel in history. When the question was asked—

"Who killed cock-robin?  
I, said the sparrow,  
With my bow and arrow,  
I killed cock-robin."

Anybody can see that *that* sparrow felt his oats, that he fully realized the vast renown he had won, and, moreover, that he had such a devouring passion for horn-blowing, that, indelicate as it might be, he could not refrain from giving his own trumpet a toot. No man that ever had within him the shadow of a soul, could fail to enjoy the *intensely* interesting spectacle that sparrow made in the felicitous conceit, of which he was evidently possessed, of the dazzlingly magnificent character of the achievement, for the honors of which he stood before the whole world without a rival. But, it seems, he is to have a rival *in ultimato*, one who so emulates his taste and style, that he has determined to travel to eternal renown with him on the same river, or at least to float,

"Mingling with his fame forever."

Accordingly, in the same vein, the sparrow spoke you too publish the fact that you, too, have a "bow and arrow," and that, moreover, it has not been idle. Here is a parallel not obnoxious to your terrible anathemas against parallels that are not parallels. That fond conceit, which was to the sparrow a source of joy, was to others a source of merriment, and that is literally and precisely the history of your case. He, no doubt, honestly believed he was hatched to be cock-robin's slayer, and you, no doubt, as honestly believe that you were born to become Erskine's annihilator. He seem to think that there was nothing indelicate in blowing his own horn, and here again you have



followed close in the footsteps of your immortal prototype. He tells us that his weapon was a bow and arrow. You tell us identically the same story about your weapon. He said enough to prove that he was a bloody-minded, blood-thirsty sparrow, and you have said enough to establish your claims, too, to a sanguinary mind and appetite. He was endowed with a rare degree of courage, and I intend to assert and prove, Monday, that you possess that splendid quality to a degree almost verging upon a mania. He was rhapsodical in his allusion to what he had done with his bow and arrow. You are extatic in your allusion to what you imagine you have done with yours. He was full of ambition. His speech proves it. You are full of ambition. Your speeches prove it. He is immortal, and for *that reason* you *will be*. Do you think, sir, "the want of parallelism between the two cases is *almost too palpable to allow of discussion*," or is not the parallelism itself, entirely too palpable to admit of discussion.

Mark you, I maintain that in blowing your own horn you have violated no canon of *lex scripta*. Egotism and swaggering belong to the rights of persons, as Blackstone would class them. So give an uncurbed licence to your penchant for horns and whenever you want to blow, *blow*. There is no law to make you afraid. I have been poking a little fun at you about it, only because I felt under obligations to PUBLIUS SYRUS for thoughts he bequeathed to me, from which I have often derived great pleasure, and as he once said *qui seipsum laudat cito derisorem invenit*, (he who sounds his own trumpet will soon meet with those who will turn him into ridicule,) I determined he should not, if I could prevent it, be caught, in your case, in a fib.

Having disposed, in my poor way, of your facetious eccentricities about refinement, modesty and politeness, I will bid you adieu, hoping that we will meet again next Monday, when I am afraid I shall be compelled to expose the miserable bad purposes to which you prostitute some of your very best qualities. Until then, however, *pax vobiscum*—a tranquil pillow to you.

ERSKINE.

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To W. M.

I promised on Saturday to prove to-day, that in the possession of that shining quality called courage, "yourself alone could be your only parallel." There is, I am aware, a desperation resembling courage, of which it is said cowards are capable; but I entertain not the slightest apprehension that I have mistaken the one for the other. It is generally in the dernier resort that we meet with desperation at all. It is the offspring of mental

and physical convulsions and the inseparable companion of emergencies and extremities. When all is at stake it performs the same office courage does in quest of excitement, the redress of injuries or the support of the right. Now, my opinion is, that of late you have only been in quest of a little excitement; but in that adventure it certainly must be admitted that you have exhibited a courage it would take the desperation of a craven, when his very existence was at stake, to rival. A Greek philosopher of eminence once defined courage to be an indifference to consequences. If this be a correct definition, the memory of Chevalier Bayard may well tremble for its laurels, and the star of the heroic Conde, as well as that of the brave Merci, to whose memory he paid so delicate and thrilling a tribute in the monument he erected over his ashes, as well as that of the ill-fated Ney, who won at the cannon's mouth the imperishable sobriquet of the "bravest of the brave," must all pale before the dazzling splendors and transcendent effulgence of this bran new luminary that has only but yesterday shot into its orbit upon the horizon of Botetourt; for, my dear sir, from your first appearance in this controversy, you have exhibited a morbid indifference to consequence altogether sufficient to put the martyrs of stoicism themselves to the blush. In the first place, you have deliberately, roundly and emphatically asserted that I have assumed positions and made issues I never assumed or made, all to furnish an excuse to say something that would have been brighter than lightning or sharper than a two-edged sword, if it only had not been a simple game of battle-door and shuttle-cock, where, as in the play, the author fixes up the speeches of both parties. How could a man of your native astuteness fail to see that you never could perpetrate such folly and escape detection? And if you coolly made up your mind to become a public butt for the amusement of the "lookers on in Vienna," I must be permitted to insist that therein you do exhibit a stoically heroic indifference to consequences. From the numerous and enormous blunders you are continually making and repeating, the inference is a fair one, that while it is probable you are a laborious *reader*, it is equally certain that you are only a superficial *student*, and that after having flitted through and over a thousand pages you resemble a man who has traveled a long journey with closed eyes and ears. He returns, of course, with a traveled body, but not a traveled mind. He, however, must have *gotten* the benefit of fresh air and exercise, whereas you will have *lost* those benefits without acquiring any equivalent in lieu thereof—but, on the contrary, have acquired an habitual superficiality, and the result is you simply read every thing and seriously study nothing, and yet you presume, upon a mere cursory glance, to dispose in solemn form and put at rest finally and forever, questions of whatever gravity and magnitude may

chance to come before you. This, no man, without the courage of a lion, could ever dare to do. But I must do you the justice to add, that as a full recompense for your uniform habit, of never giving to other men's thoughts more than a superficial glance, you are knightly and considerate enough never to bother other men with thoughts of your own, demanding more than you give. Such munificence is worthy of a Prince, such benevolence of a philanthropist, and as nothing is more proverbial than that generosity and courage are inseparable concomitants, it furnishes additional evidence of your redoubtable pluck. In the last two letters I had the temerity to address you, I presented to you several fair issues, and how did you meet them. Precisely as it is said a fellow in a buggy once behaved, when he met on the highway a six horse team. The road was narrow and out of the beaten path, on either side it was boggy, so the man undertook to bully the teamster, and in an explosion of dignified indignation, demanded, "Are you not going to get out of my way, sir?" What will you do if I don't, quietly asked the wagoner? What will I do? why, sir, I will soon show you what I will do! A moment of suspense elapsed, whereupon the wagoner, with an apparently very calm indifference to the consequences, replied, "Well, sir, what will it be? Why, sir, retorted the proprietor of the one horse establishment, if you do not get out of my way instantly, I will certainly ——— get out of *yours*."

I threw down to you gage after gage, which you, instead of picking up, play on me the buggy trick and go dodging around my six horse team of facts, and it is the natural result of that superficial way you have of reading everything and bobbing around generally.

You seem to look all around an issue without ever seeing it, and then you write all around it, without ever touching it. In this you remind me of a young orator I once knew. He had a bosom crony, in whose criticisms he had great confidence. After having made, on one occasion, one of his "rousers," as soon as he closed he caught the eye of his friend, which he fancied beamed with more than its ordinary light, and mistaking it for approbation, he rushed up to him and exclaimed, "Now, Tom, *what* have you got to say to that speech?" "O," replied Tom, "I have no hesitation in saying, and I say it boldly, it is the greatest speech you ever did deliver, and will remain to your dying day the great speech of your life. In truth, it has but one solitary fault." "O, my beloved friend, you will strangle me with joy. Only one fault! and that too comes from you, who have heretofore had a thousand faults to find with my speeches. How I must have improved! Who will deny, now, that I am a growing and rising man? Only *one* fault! Do tell me, Tom, what is that one, I dare say it is a small one, and I may easily



correct it." "O," replied Tom, "you never touched the subject?" Now, those last two articles of yours in the *Whig*, I dare say, are far better articles than Tom's friend's speech was a speech, but they were afflicted with precisely the same disorder. I presented you with facts, which it was for you to admit or deny, and you did neither, but, dodging an issue, failed, exactly as Tom's friend did, to touch the subject. Nevertheless, I enjoyed your articles hugely; it was plain enough to be seen that you "was in a weaving way," and "spent your figures free," and to me, it has always been a source of unalloyed delight, to look on at others when they are warming up with the enjoyment of themselves. But there is one other additional evidence of your Cæsarean pluck, that I have not yet adduced; I allude to the indomitable obstinacy and dashing boldness, with which you couch your lance and poise your spear in defence of any blunder you may have made *per fas et ne fas*, you remind me of that chivalric wight described by the poet when he said:

"He strives for trifles and for toys contends,  
And then in earnest, what he says, defends."

In this you evince a nobility of nature that is God-like. It makes me forget and forgive all your faults, and want to hug you. Some people might be found vulgar enough to christen this stupidity, but I have a better, and a holier name for it, to wit, humanity. No man that ever saw in a family of children, one who was a cripple, blind, deaf, mute, or deformed, could have failed to notice that the poor unfortunate little one was the pet of its parents. To their warm and tender bosoms they drew it nearer, and over its wayward wanderings they watched with a fonder care, and in this they exemplified a God like humanity; and when you draw near to your poor little blind, deaf, mute, deformed and crippled arguments and blunders, and draw your glittering steel boldly in their defence, you do not only establish the fact which none can dare dispute, that you have a superabundance of pluck, but you emulate the example of the noble fathers and mothers, who love their cripples best; and I say, you thereby challenge the admiration, not only of Botetourt, but "of the balance of mankind." I am now through with my *allegata*, and will proceed at once to my *probata*, and as my heart is in a soft mood now toward you, about your little cripples, I will commence on them; and I promise you that whenever I lay my hands on their tender limbs and helpless forms, I will studiously avoid everything to which the most sensitive parent could object. The first one I shall notice is one of your eldest, if not your first born. It is your *ipse dixit* that France and Germany are infidel nations. I plead the general issue of, not guilty, to this count in your indictment, and did suppose that you would, upon re-



flection, (by the way do you ever do that thing—reflect?) enter a *nolle prosequi*, blow your horn, (as you are so fond of horn blowing,) and call off your dogs, Tray, Blanche, Sweetheart, and all the rest. But that superficial way you have of looking at matters, united with that ennobling affection you cherish for your deformed offspring, rallies you before the country to demand a trial. Well, you shall have it. And the first question with which I confront you is, when were France and Germany infidel nations? There is but one way to ascertain, and that is from the musty tomes of history. On this issue, you hold the affirmative, and are bound to produce the proof; and proceeding upon the presumption that you imagine you have done so, I will proceed to introduce rebutting evidence. In the first place, then, literature is the only outlet civilized infidelity has. Infidels have no churches through which to disseminate their pernicious dogmas. So they lift the flood-gates of the press, and deluge the land with essays, poems, pamphlets and plays. Then we will have to look into the history of French and German literature, to ascertain the extent of their infidelity. We will commence with France. Beginning with the middle ages, the literary history of France may be divided into three periods: The first extends from 1000 to 1500, and includes the literature of the Troubadours and the Trouveres. If a great infidel lived in this age, what was his name? If he had followers, how many? It was in this age, you must remember, sir, that the people of both France and Germany were wrought into such a furor of religious enthusiasm by Peter the Hermit, and other powerful orators, who swept the whole face of all Europe with a storm of religious eloquence, until they rallied under the banner of the cross pious soldiers enough to sack Jerusalem, and it was in this period that numerous religious sects sprung up in France and Germany. One I remember originated in the district of Albi, in the 12th century, and was called the Albigeneses. It resembled somewhat, the Protestantism of this day, and was tolerated and protected by the Court of Toulouse. But as this sect augmented and began to flourish, Innocent III., who was the reigning Roman Pope at that time, declared war against it, and for the balance of that period France and Germany were under the unceasing scourge of theological wars.

'Twas in this period and towards the close of it that that renowned ecclesiastic Froissart flourished, as also did Phillipe de Commines; and it was in this period that religion was of such universal and absorbing interest to the common people, that the Pilgrims—who returned from the Holy Land—resolved to give a dramatic exhibition under the title of the Fraternity of the Passion. One of the pieces they enacted was the history of our Saviour from his cradle to his sepulchre. It was entirely too long for one representation and was, therefore, continued from day to day, and

was attended by multitudes of people. Here, then, is conclusive proof that, at this period, France and Germany were intensely christian nations.

The second period extends from 1500 to 1700, and includes the revival of the study of classical literature, or the Renaissance and of the golden age of French literature under Louis the 14th. If a great infidel rose or reigned in this period,

“What’s his name and where’s his hame.”

In this period history tells us that the downfall of Constantinople promoted the revival of ancient literature; of the invention of printing, of the discovery of a new world, of the decline of feudalism and the consequent elevation of the middle classes, but nothing about infidelity. The Renaissance and Reformation went lovingly hand in hand along the banks of the Rhine and Seine. Among those who eagerly imbibed the spirit of both stood the lovely and loveable Princess Marguerite de Valoise, elder sister of Francis the First. Her valet-de-chambre was the poet Marot. He was a Calvinistic theologian, and in his holy hymns and poems were happily blended familiarity, propriety, elegance and grace, and they were universally read.

But it was in Calvin that the Reformation, and in Rabelais that the Renaissance found their representative types. Yet very many other intellectual, moral and religious lights flourished in this period, whose rays are still beaming on us through the haze of time. Among them you will find Balzac, Voiture, Menage, Scudery, Chaplain, Costart, Conrad, the Abbe Bossuet, and Cardinal Richelieu. And it was about this time that that great original and powerful thinker, Descartes, opened and blazed the way for Lock, Newton and Leibnitz. And it was in this same period that Bossuet, Bourdaloue and Massillon, three of the most powerful pulpit orators the Catholic church *ever* produced, flourished. Bossuet addressed the conscience through the imagination, Bourdaloue through the judgment, and Massillon through the feelings. And it was these two centuries that produced that great geometer Pascal, those eminent lawyers Patru, Pelleson, Cochin and D’Aguesseau, those moral philosophers, Rochefoucauld and La Bruyere, those great Authors of pure romance, Madame Lafayette and Fenelon, that incomparable letter writer, Madame de Sevigne, those celebrated dramatists and artists, Racine and Corneille, and those perspicuous and able historians, Bossuet de Retz and St. Simon. They were the ruling and master spirits of this period. Which one of them was an infidel?

The third period extends from 1700 to the present day, and if France and Germany are to be convicted of national infidelity, it must be in this period or not at all, and I am free to admit that men wonderfully gifted did flourish in France and Germany in

this period, who were infidels, but their infidelity was not the source of their popularity, but their popularity prevailed even over their infidelity. Skepticism had its origin in the criticism of Lamott, who was only a literary skeptic. He raised the standard of revolt against the worship of antiquity, and would have dethroned poetry itself on the ground of its inutility. Thus skepticism commenced by established literary doctrines, becoming matters of doubt and controversy. High among the skeptics about this time, stood the Baron de Montesquieu. His popularity was commensurate with his fame; but to what was he indebted for that fame. By no means to those "Persian Letters," but in truth it was based upon his "Spirit of Laws," which it is accorded on all hands is the greatest monument of human wisdom erected in the 18th century. History says "it is a profound analysis of law in its relation with government, customs, climate, religion and commerce." The book is inspired with a spirit of justice and humanity. But the great apostle of infidelity in France was Voltaire, and his popularity knew no limit below the stars. But to what was it attributable? Certainly not to his skepticism, for he was imprisoned three times in the Bastille and three times had to fly from France on account of his skepticism. What then was the secret of his immense popularity. It was his poems, essays, dramas and wit. Over his dark thoughts his wit played, like lightning over dark clouds, and over France the corruscations of his genius flashed for half a century with a vividness that dazzled and insatuated all classes of society, irrespective of creeds. And the thunders of the Vatican that expatriated the infidel to-day would be lost to-morrow, amid the louder thunders of the popular Catholic voice calling home the wit like the whistle of a sailor boy is lost amid the roar of the tempest. When "Zaire" was played, all Catholic France rushed to the theatre, and the greatest honor he ever received came from a spontaneous burst of enthusiasm, with which he was once welcomed upon entering the theatre while they were performing one of his plays. He had for a long time been absent from Paris, and when the eye of the audience fell upon the bowed and venerable form of the great author of not only a thousand and one happy hours of glowing interest they had enjoyed, but of the mental repast that was then being spread before them, their enthusiasm broke through every restraint, and burst upon him like a tornado. Old men put their arms affectionately around him. Beautiful women poured upon him a refreshing shower of passionate kisses, and all joined in taking him *viet armis* to the stage, and enthroning him upon it, and weaving round his brow a wreath of living laurels. Voltair wept with joy. But this was no tribute to his infidelity. It was the homage a Catholic people delighted to pay to transcendent genius.



His society was courted by Frederick the Great and all the great intellects and wits of Europe. But infidelity had nothing to do with all this. I know that a literary society was formed in France, the avowed purpose of which was to smite down religion, and that its members frequently assembled in the *salons* of Mesdames du Deflant, Geoffrin, de l'Espinasse and Baron d'Holback, and that for a time their doctrines spread like a malarial, blasting religion and morals temporarily. To this society belonged that cynic and sophist, Diderot, D'Alembert, Rousseau, Condillac, the sentimentalist, Grim, the philosopher, Helvetius, and the malicious Marmontel, but right here I wish to call your special attention to three prominent facts. The infidels if they ever had anything to do with the laws, never licensed gambling; that at no period was France ever under the sceptre of an infidel King or Emperor, and that the communicants of the Catholic church did always and do now outnumber all other denominations, including the infidels in France, and if this does not prove that France never was and is not an infidel nation, then facts are impotent and argument useless. Moreover, it is well known to every student of history out of Botetourt that infidelity has run its course in France and is now prostrated with the dry rot. Necker, the father of Madam de Stael, drew his bright blade on the side of the church when the storm of infidelity was at its wildest, and around him there gathered a formidable host of powerful writers, and they kept the banner of the cross flying from the masthead of the church when the beach was being thickly strewn with the wreck of infidel crafts. Madame de Stael and Chauterbriand fought the battle of the church in literature, Maine de Biran and Royer-Collard in philosophy, and Benjamin Constant in political science, and to no inconsiderable extent they did succeed in neutralizing the baleful influences of Voltair and his school, and from that day to this, infidelity has been on the wane in France. A Catholic sits on her throne, Catholics sit in her councils and Catholics frame her laws, and now what do you take by your allusion to infidel France, when it eventuates that France never was and is not *infidel* France, and that when there were more infidels there than there were at any other time, gambling was not licensed, and now, when they do not wield over the vine-clad hills one shadow of influence, it is. To Germany and the balance of your crippled and deformed brats I will look tomorrow.

ERSKINE.

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To W. M.

Your sweeping charge of infidelity against France was made still more sweeping by the inclusion of Germany. Germany is that portion of central Europe which lies between the Adriatic



and the Baltic. It has an ancient and a well written history. It has produced its full quota of the great thinkers, writers and travellers of Europe. The arts and sciences have always had, and have to-day, more votaries and patrons there than they have elsewhere, and what is still more remarkable it always has been, and still continues to be, the most intensely religious spot on the whole face of the civilized globe. Go back, if you please, to the year A. D. 360, when Ulphilas gave the Goths his translation of the Bible, and come along up through the reign of Charlemagne, and the Suabian age to the House of Hapsburg, and you will find no footprints of infidelity on the surface of German history. The Germans poured out their blood like water and laid down their lives like martyrs, to establish in Germany not only *a* religion, but *the* Protestant religion. The most important works of the 14th and 15th centuries are the writings of German monks which kindled and kept alive a religious fervor among the middle and lower classes, whereby a whole nation was kept waiting to receive and made ready to support a Reformer. They represented religion as consisting in the sentiments of the heart, rather than in doctrines. Their main principle was that piety depended not on ecclesiastical forms, but consisted in the abandonment of all selfish passions. Tauler, in 1361, codified, the sentiments of these monks in a volume which he christened "German Theology." Luther, in a preface to this book, centuries subsequently, expresses his admiration of its contents and asserts that he had found in it the germs of the Reformation, and it was here on German soil, long after the star of the Suabian dynasty, under, the divine light of which the Crusaders flourished, had gone down in gloom and blood and the sweet tones of the Suabian lyre had died away, that that self-same Reformation was ushered into this breathing world. 'Twas in the 16th century when the Emperor and the Pope were in all the plenitude of their power. The armies of the one were drawn by conscriptions from Spain, Austria, Naples, Sicily and Burgundy, while with his Inquisition and his thunderbolts of excommunication the other *coerced* the priests and monks to rally under his banner from all parts of the Christian world. Against these formidable powers, a poor, obscure and nameless Augustine monk came forth from his closet in the small university of Wittenburg, with no treasures in his coffers nor arms of any kind in his hands save the Bible alone, and in a clear manly voice defied the Emperor, the Pope, the clergy, and the nobility. And around him gathered Melancthon, Manuel Zwingli, Fishart, Franck, Arnd and Jacob Beehn, and they impressed the literature and theology of that age with their master's spirit and name; and most properly, for he was not only the most prominent character of that age but he was the exponent of their national feel-

ing and gave shape and utterance to thoughts and sentiments which had been before universally felt but obscurely expressed, and his influence was acknowledged in almost every department of German life. "The remodelling of the German tongue may be said to have gone hand in hand with the Reformation, and it is to Luther more than any other it owes its rapid progress. His translation of the Bible was the great work of the period, and gives to him the deserved title of creator of German prose. *The Scriptures were now familiarly read by all classes* and never has their beautiful simplicity been more admirably rendered." In the 17th century flourished Opitz, Pufendorf, Kepler, Arnold and Paul Gerhard, the sacred hymns of some of whom are still heard in the churches of Germany. In the 18th century Klopstock, Lessing, Weiland and the eminent theologian Herder were the great German theological and literary lights. Early in the present century Goethe and Schiller made their appearance. The names of their cotemporaries and successors like the arrows of the Persians at Thermopylæ would make a cloud that would obscure the Sun, and among them I dare say there might be found an occasional transcendentalist who is a metaphysical infidel but the infidels of Germany are few in number and morally impotent. They have no representative type who is a master spirit. For the respect that you have for the memory of Martin Luther and William of Orange and for a land over which war raged for thirty years that Protestant christianity might flourish there, I do beseech you retract your scandalous calumny against Germany.

There may be, in Germany, to-day, a few infidels, but they cannot mould and fashion the nationality of Germany. Hume, Gibbon and Bolingbrooke were infidels, nevertheless, Britton was not an infidel nation. The people of the United States elevated to the Presidency a confirmed skeptic. Were his party all infidels? Bring the rule home with which you attempted to damn Germany and France, and the Confederate and United States will have to take a damning too, and Virginia her full share of it.

Since publishing my first article on this subject, I have ascertained that a revenue is drawn from gambling, by the governments both of Spain and Italy. Are they infidel nations?

In your first article you asserted in unequivocal and unqualified terms, that public opinion had put down female gambling. Here is your language: "If the gentleman had familiarized himself with the history of gaming, he would have known that the public opinion, of which he speaks slightly, as rather inclining the other side *has put an end to female gambling for money.*" Now, when I proved that females still gambled at Saratoga, N. Y., Baden-Baden, and other fashionable resorts in Europe, what, sir, is your reply? Here it is. "Does that refute my statement.

When I speak of Addison and of English opinion as moulded by his writings, that I was extending this influence to Germany, where a different language is used and a different type of civilization obtains." Now, just allow me to quietly ask, did effrontery ever, in a gambling "hell," or an infidel *salon*, put on a more thorough dare-devil face than this.

In the first place, nothing is better known in the literary world than that the "Spectator" has been translated into the French and German languages, and published in France and Germany, and no doubt has been as generally read in those countries as it has been in England. If so, why are not the truths it contains entitled to as much weight in one country as in the other? Doubtless, however, on this card you "coppered" what you supposed to be the extent of the information of Erskine and the public. But I only allude to these facts to show you cannot be permitted to wriggle through the loop hole that you think you are squirming out at, for the facts do not occupy a position from which they can be made to screen the spasms your attempt to squeeze through that loop hole has brought on you. Your language in this instance, whether intentionally or fortuitously, is pointed, perspicuous and comprehensive, and to give it *all* of its force, you italicised it as I have quoted it italicised, and sir, you did not therein as anybody can see, speak of the suppression of female gambling "as a general thing," or as a "vice," or among *one people more than another*, but your assertion swept the face of hemispheres, and literally pulverized the dry bones of the assumed to be, dead habit. And if you only meant to refer to the Anglo Saxon race, or to the suppression of a "general feminine indulgence in this vice, the presumption of which you are guilty in attempting to instruct the public before you are capable of saying that which you want to say, is worthy only of your landed estate parallel and logic, your cock sparrow egotism and vanity, and your Botetourt politeness and refinement, and furnishes another evidence of your chronic superficiality. You do not *only* read superficially that which others write, but you read your own effusions in the same way. Now, this is not only at war with true politeness and refinement at home, but is extremely impolitic, for if you will not treat your own offspring with common respect, how can you expect the world to do it. And for all the cavalier treatment your mongrel brood of opinions and assertions (of the paternity of an *argument* up to this time, I believe you to be innocent) may hereafter receive, you will doubtless be indebted to "the power of your own example." But this sentence is one of your unfortunate progeny, whom I suppose you do not care how much I chastise, for it has deliberately lied on its papa. You say you told it to say one thing, and it



says you told it to say another. Of course the "power of example" being irresistible, I am bound to and do believe you. Now, sir, allow me to inform you that the females who gamble at Baden-Baden and elsewhere in Europe, are rarely ever the soft blue eyed beauties of the Teutonic race, but are the more gay and fashionable and less religious belles and dames who flit and flutter through the same *salons* in West End and Grosvenor Square, which the wit of Addison once irradiated. In my allusion to the talents and accomplishments of certain gamblers, I did not pretend to speak from personal knowledge. I never saw poor Prindle. I did not know the graduate to whom I made allusion, and in speaking of a remarkably brilliant colloquist of this city, I distinctly said "I am told" such an one resides here, and in alluding to the high position other gamblers occupied for integrity in the confidence of honorable gentlemen here who know them, I spoke of their reputations, and gave no opinion of my own. Yet so superficial was the glance you gave it, or careless the allusion you made to it, that you charge these opinions home upon me as mine. Here, sir, is one of your own "positive statements which is entirely without foundation." If you think it amounts to a "mantle," it is yours, and the *weather* is suggestive.

Already I have been reluctantly compelled to make more than one allusion to a characteristic of yours, that does not only appear to be preëminently prominent, but constitutional, to wit, your vanity. But it was "more in sorrow than in anger" I did it. With you it amounts almost to a fanaticism. So vain are you of your erudition, that, for the sake of an opportunity to parade your pedantry before the stare of the multitude, you do not hesitate to summon a witness to the stand from the summit of Mt. Parnassus against your own cause. When I saw that quotation in *your* article I marvelled as did the old virtuoso when he saw a fly preserved in ambler.

"He wondered not that the thing was either rich or rare  
He only wondered how the devil it got there."

Then, again, toward the close, your antediluvian allusion, snaaks smartly of the idea that you thought that that flood had been gotten up more for your benefit than to cleanse the world of its wickedness, that you were destined to realize more fame from crossing it, than Sir James Cook did from his voyage round the world, and that by the dint of your omnipotent genius, you had identified yourself with it so thoroughly, that no scholar, of proper refinement, would ever allude to it again in your presence, as Noah's flood, but that henceforth and forever, it would be bound to be known as W. M.'s flood, and so designated in chronology and all the Encyclopedias. No doubt you have often

fancied of late, that you could distinctly hear resounding through the lapse of centuries, the roar of its angry surges as they lifted up their loud voices to chant the requiem of the lost millions, over whose graves they rolled. Evidently, it is your deliberate purpose to take possession of and appropriate that flood and why not. Deucalion claims one; but his was subsequent to yours, and must have been rather a small affair, not deep enough water for you, but his success justifies your ambition and as Noah died in possession of the whole world it is not right to claim for him that flood too.

The only evidence by which I proved that there must have been gaming before the flood was what is technically termed "presumptive," and I was amazed at your abrupt and unconditional rejection of it, for surely in this controversy, and I doubt not elsewhere, you have presumed enough yourself to have found out long ago, through your feelings if not otherwise, that in presumption there certainly must be evidence of *something* neither refined or polite.

But why did you institute so pointed a parallel between Lord Erskine and myself? I am bound to suspect that it was because you knew that you could not, and hoped I would not survive the contrast. But thank Heaven, I am still *inter vivos*. "I still live," little as I pretend to be the peer of the illustrious British Lord; but, if I only had half of your fanatical vanity, I never should have known I was not his peer, and should be too happy to care a baubee *what you thought about it*. But you have discovered a sovereign panacea for all the moral ills that gambling flesh is heir to. In the first place, your theory is without the merit of originality, and, moreover, lacks another and still more important merit, to wit: practicality. *Ces discours il est vrai sont fort beaux dans un livre.* (All this will do very well for a book.)

In the South it has been long since again and again tried, and exploded, and why? There is a logical maxim which runs, "the virtue of a law does not consist so much in the severity as the certainty of punishment," and its truth has been forcibly exemplified in all the Southern States, where gambling has been made a felony, but no gambler has ever been made a felon. When you make a vice which has hitherto only been a misdemeanor suddenly assume the huge proportions of a felony, the people say that you allowed them to become addicted to it as a misdemeanor, and then want to put upon them for the practice of it the penalties of a felony, this, they say, has in it *expost facto*, blood, and morally, it becomes a dead letter. A prosecution under it, would furnish much stronger evidence of the malice, than it would of the virtue, of the informer, and the effect of it will dishonor, if it does not defeat the law and protect, if it does not

provoke and abet culprits. When you imprudently encumber a law with a harsher penalty than the feelings of the public will sanction, you will thereby at once separate public sympathy from the law, and twine it tenderly around the *persecuted* criminal, and this must inevitably enure to the permanent prejudice of law and order, by manuring and watering the vigorous roots of crime and sending them deeper into the earth and causing its Upas foliage to flourish more luxuriantly above it.

One of the facts which was in my six-horse team, and which when I presented, you attempted to ridicule, but did not dare to deny, was the well known integrity of certain gamblers. Ridicule is a powerful weapon, only when it is hurled against sophisms, mere casuistry or fanaticisms. Then

*"Ridiculum acri  
Fortius et melius magnas plerumque secat res."*

"A jest in scorn points out and hits the thing,  
More home than the morosest satire's sting,  
And ridicule shall frequently prevail,  
And cut the knot where graver reasons fail."

But when its poisoned arrows hit facts they rebound. When Cervantese opened the batteries of his sarcasm and drollery on Knight Errantry, he fired 74 pound bomb shells at a gossamer fortification, and he blew it into a nonentity. Don Quixote was read, and the "order" vanished. But when Tom Payne and Voltaire attempted to fire precisely the same kind of ammunition at the Bible—the very battlements of Heaven—their shells rebounded before they exploded, and did all the mischief they did at all in their own ranks. Tom Payne and Voltaire are no more, but that Eternal Harp of the Great Jehovah—the Bible, albeit upon its celestial strings have fallen the blighting breath of twenty-five centuries, yet when over them the soft low sigh of faith floats, they still give forth an Æolian music, that stirs the highest and holiest hopes that sooth the bruised bosom of fallen humanity. If that which I stated was not the truth, it was beneath ridicule; if it was the truth, it was above it, and I have the opinion of gentlemen, than whom none stand higher in this city, that there are gamblers here whose integrity, that malignant breath, which is bought and sold every day, cheap, under the name of scandal, never soiled. Attempt to send such men to the Penitentiary, branded as felons, for playing a *fair* game of cards, and the nature that is in the people will bear it not. Whereas if you will make cheating and swindling at cards felonies, and detect, convict, and condemn scoundrels, under this statute, all honorable and high minded men, and honest and upright citizens, will be bound to say to it cordially, amen; and they will do it with a vim, for between a fraud at cards, and a midnight foray upon a sheep-fold, there is no moral distinction.



In your first article, you attempted to prove that a man's liberty to bet would be involved and restrained to some extent, if he had to go past an unlicensed gaming house to get to a lawful gaming house. I declined, when I replied to you, to answer such flimsy sophistry, such sheer *baliverne*—*betise*. To have treated such balderdash with respect, would have required an amount of hypocrisy to which I could not conscientiously stoop, and I did hope the manner in which I was constrained to treat it, would open your eyes, and you would certainly see its transparent fallacy. But no, that is not the way you treat your little mutes, and so you take another tilt at the "fullest and freest fruition of the pet passion of the million," to show you was logically right. I never supposed that, when I only asked that the people might have the freest and fullest fruition of a game *when they got to it*, that you or anybody else, would ever imagine that, to carry out such a law, the *game must be taken to the people*. And, had you detected any one else in the perpetration of such a *tour d'impuissance*, you would have unhesitatingly branded him a "Theban Pig." *Boeotum in crasso jurares acre natum*.

You certainly have less *inclination* for discrimination than any *law-giver* I ever had the misfortune to meet before; and if I were to gamble at all, I would hazard largely that you cannot tell whether, in nine cases out of ten, the boy carries the horse to water, or the horse carries the boy to water. A large majority of gamblers take the initiative in the black art in villages and small towns, where "tigers," when they grow lean and ravenous, prowl in quest of game no bigger than a cocksparrow. The novice begins by buying and betting dime checks; gradually the passion grows apace, and sooner or later he is lost, pecuniarily undone. This is the history of thousands upon thousands of ruined estates. License gambling, and put the license up at a proper figure, and no man can afford or would pretend to take out license in a village or small town. Youths brought up then at the feet of a village Gamaliel would no longer be beset by the fascinations of fashionable itinerants, seeking to seduce and destroy them hard by the altars of their sanctuaries. It would prevent millions upon millions of gray hairs from descending with sorrow to untimely graves, and it would save as many bitter, scalding tears from being shed at all, that aged mothers, young wives and orphan children may otherwise have to shed. You ask me would I accept a contribution to build a church from a gambler. I answer, unhesitatingly, that I would, cheerfully. In the first place, it would take that much from his capital, and thereby contribute to circumscribe his resources for mischief. In the second place it would put that much money into the pockets of the poor pious members of that church who would otherwise have to pay it out of their own scanty means. In the third place,

I should only be permitting a man of the world to do a good action, the effect of which upon his meditations, might perchance lead to his regeneration; whereas, its rejection might cost him his soul, with the fear of which I would not like to have my conscience burthened. In the fourth place, I am always delighted when I see churches going up, under any and all circumstances; and I dare say if a gambler were, out of his abundant means, to build a church for a poor community himself, he would be very apt to command more of the confidence and esteem of the congregation than a minister of the gospel who would refuse to preach to them in it because they might not be able to pay him the salary he demanded, or appreciate the snow flakes of religion he mingled in his sermons with hailstones of literature, lightnings of vanity and thunders of bombast. Level to the earth to-morrow every church in Richmond gamblers have contributed to build or sustain, and many a bright Sabbath morning would come and go before the familiar voice of a glad church bell would be heard again calling its shepherd's scattered flock to his fold.

A revenue is necessary to support the government, and taxation is necessary to raise a revenue. There is a direct and indirect way of levying taxes, and that government is always the most perfect, among the citizens of which there prevails the least discontent, and direct taxation always produces more discontent, than any other system. The money which is paid for a license is an indirect contribution to the public revenue. I say that it is right and proper that this revenue should be levied in part upon the vices of the land, and you say no, let the private virtues of the people bear all of the public burthens of the country. I say, the gambler who has won the last dollar of a sot, before he staggers into his grave, ought to be compelled, out of his play-made fortune, to take off the widow and orphans his victim may leave with a small estate so settled upon them he could not squander it, a part of "their lade o'care" and pay a part of their taxes. But you say no, let estates of widows and orphans be ground into dust under the iron heel of taxation; let their wails of distress be ever so piercing and let their tears flow ever so thick and fast, still make them respond to the law and pay to the last copper due the hungry tax-gatherer, but let the gambler, who has in his coffers the money that should be in theirs, escape with a mere (to him) nominal tax. He is rich and they are poor. Yet you say, let him pay his taxes in pennies and make them pay theirs in doubloons. Such humanity and justice is worthy only of the superstition that, while it recoils with a mock horror from a *liberal* donation out of funds fairly won and *freely* offered to you by a gambler to build a church, teases a niggardly merchant out of a *paltry pittance*, which he grudgingly gives out of a

fund he has told lies enough to accumulate to damn a thousand souls. The above ambrotype fairly presents the natural and legal results of your and views mine.

"Look on this picture and on this."

But we must part. I have already implored you never to gamble. I have now a parting prayer to address to you. I see you are young, ardent, impulsive—and occasionally read your Bible. Now the request I am about to make of you is never do you attempt to

"Gi' the Gospel horn a blast."

When I implored you never to gamble, it was for your own sake alone I importuned you then, but it is for the cause of religion, pure and undefiled, I am pleading with you now, for you may rest quietly assured that if it could survive the advocacy of your logic and the contamination of your worldly vanity, instead of making the devil hang his harp upon the willow, as it ought, it would only provoke him to redouble his exertions, and we would have ten times more gamblers and infidels than we ever did. Farewell!

*Benti voglio* don't neglect that flood, *your* flood—but that was, formerly, called Noah's flood—but don't, I beseech you, attempt to take a man's life with your flood. [That flood has taken lives enough already.] Remember the fate of poor lady Macbeth. After she had caused Duncan to be murdered under her own roof, in his bed, the last words that ever escaped her addled lips were: "To bed! to bed! to bed!" Now, if you were to murder ERSKINE in that flood of yours, you would be certain to kick the bucket, exclaiming: "To the flood! to the flood! to the flood!"

ERSKINE.

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## CAN GAMBLING BE SUPPRESSED?

*To the Editor of the Whig:*

Having addressed you, sir, previously on the subject indicated at the head of this article, and wishing to enlarge on some of the points I have heretofore presented, so vitally important to the community, I proceed to do so, as briefly as the nature of the case will admit. From the interest lately shown in this matter, by the authorities in Richmond, it may safely be presumed that the subject is not without a hold upon the mind of the public generally, and that attention will be vouchsafed to proper considerations in regard to it.



One proposal is, that this vice, which stamps with dishonor every one known to be addicted to it, shall be actually made a lawful practice. Houses must be set apart for this purpose. Their proprietors must be taken under the wing of the law. They must be made to stand on a similar honorable footing with the respectable, upright merchants, professional men, farmers, and mechanics of the State, whose interests are taken care of by law, as the moral correctness of their business demands. These men, who are now compelled to slink in and out of their dens of impurity, forced to remain on the outer limits of society; these marked men, who would not now feel at home among the correct gentlemen of the land—these men whose talk is of “faros” and “roulettes” and “tigers”—these men drenched in the blood of their fellows—these festering sores on the body politic, whose stench is in the nostrils of all virtuous and refined citizens—these men whose very dress and aspect indicate their lost recklessness, and are evident tokens of perdition—such members of the community are to be lifted from their conscious degradation and put on the precise, lawful level, the identical legal footing, and, therefore, to some extent, the same social platform, with the high-minded men whose business and persons have, in all ages of the world been held in high esteem and deemed worthy of the most constant and honored protection of a nation’s laws. Is there, sir, a law-abiding, proper business man in Richmond, or elsewhere in Virginia, who does not repel such a proposal with indignation? Would not the sure tendency of this thing be to eradicate the vital distinction between right and wrong, between avocations morally proper, and those which are intrinsically and forever vicious, and between citizens whose lives are correct, and persons whose every step is marked by immorality? What would such a step on the part of the Legislature be but simply an opening-wedge to make way for the vilest of European ideas, sentiments, tastes and practices?

I said in a late communication to your journal, sir, that a law licensing gaming houses, would be burdened with the disgrace of having been originated in those two infidel nations, France and Germany. The low moral tone of those people is of itself enough to throw an odor of suspicion around any of their laws bearing upon the public purity. Their reputation as infidels, in their general preferences and tendencies, is not generally disputed. The national infidelity of France, in the days of the revolution of '92, is denied by no one acquainted with the history of the period. The moral venom of the writings of Rousseau, Voltaire and others, had thoroughly poisoned the minds of the masses in France, rendering them ready for the crimes and horrors of that blood-stained era. The destruction of the Church and Gospel of Jesus was the watchword of the people. The convention deco-

rated a strumpet, paraded her in a chariot through the streets of Paris, as the Goddess of *Reason*, and installed her in the church of Notre Dame, to supercede the oracles of God, and as Voltaire said in regard to Christ, "to crush the wretch." That convention brought before it the Archbishop of Paris, with other renegade bishops and clergy, including a protestant minister named Julien, compelled them to strip themselves of their priestly garments, and declare that they rejected Christianity as a religion. Infidelity then was in France an unblushing, undoubted thing, and I do not believe, from the testimony of the most respectable witnesses, that the *mere skepticism* of that country has materially diminished since the period of the revolution. Dr. Nicholas Murray, (lately deceased,) an eminent Presbyterian Minister of New Jersey, who under the "*nom de plume*" of "Kirwan," gained high reputation as the writer of several popular and able works, especially his letters to Chief Justice Taney on the Romish religion, says in his book styled "Men and things I saw in Europe," on page 69, "France has no religion and no fixed principles." This is the testimony of this sagacious and observing man, from what he beheld with his own eyes, and heard with his own ears. A nation without religion, certainly cannot believe in the Christian religion, and as a belief in that religion is surely a "fixed principle," a people without "fixed principles" cannot have such belief in the religion of Jesus. It is true, sir, that Romanists occupy high positions in the government of France, and that her Head is, by profession, a Romanist, as are also many of her Legislators. But that does not affect the question. Napoleon the First was a Romanist by profession, but he also imprisoned the Pope when it suited his purposes. David Hume, the noted infidel, was a communicant of the Church of England, for office sake. So was Collins, and the Earl of Shaftesbury. So was Rosseau, first a Papist and then a Protestant. Voltaire also professed a belief in the Popish religion and built a church at his own expense, at the very time he was expressing and publishing his doubts of the existence of a God, and declaring that the world was now seeing the twilight of Christianity. The fact that Romish professors are in the high places in France, and that great numbers of her people are also such professors, proves nothing. The case was the same in the days of the reign of terror. The nation has undergone no material alteration, and as they made their Bishops and Clergy deny the faith in 1793, so they murdered their Archbishop in the streets of Paris as lately as 1848. Dr. Murray, on page 80, of the work previously mentioned, says that "the French are morally uneducated," are "*atheistic* in the undertone of their opinions," that "Popery is an overcoat to put off or on as suits the hour," and "the *grand want* of France is religion." One more

reference, sir, on this part of my subject, and I shall pass on. The Right Rev. Alonzo Potter, as distinguished a Bishop as ever sat on the Episcopal bench in the old United States, well known to the literary men of the country, in his introduction to "Lectures on the Evidences of Christianity," says, at page 45, "that a large portion of the religious unbelief of any one time or place, is inherited from the past. This is the case with the French infidelity of our day, which is but a sad legacy from a former generation—the result, for the most part, of early prejudices and associations. Whoever travels for a few hours with a Frenchman, who represents the average opinion and feeling of France, will see that the nation at large have hardly heard of Christianity, except as a superstition which merits consideration only from priests and women." Bishop Potter published this statement in 1855, and I believe he simply confirms the former impressions of the mass of well-informed people of the land. Yet, the people and authorities of Virginia have been lately exhorted to tread in the path of these people, who, in the language of Dr. Murray, on page 80 of his work, "care neither for God or man, and fear nothing in time or in eternity." Principles like those of France are to be introduced among us; yes, into our very laws. Gambling, which these atheistical, demoralized French people love so well as to take it under the care and fostering protection of the government is recommended to be received into the arms of Virginia law-makers, and the moral mercury of Virginia, to sink at once to the freezing point, as it is in godless and immoral France. What lover of this young country, sir, does not feel his blood to stir, and his very heart-strings tremble at so nefarious a proposal?

I said, in a former communication, that Germany, where gambling is legalized, is also as infidel a country as any nation, within the limits of Christendom, could be. And such is the case. A law opening gaming houses would come foul with the vapors of German morals and German infidelity. What reader of the literature of the day doubts that Germany is at this moment the source and fountain of a large share, not only of the infidelity of Europe, but of the world. The intellectual leaders of the infidelity of the Continent and of England, are Germans. To mention no others, Straus, the Corypheus of modern infidelity, is a German. The infidels of all the civilized world have their minds impregnated with the ideas and spirit of Straus and his German coöperators and sympathizers. The infidelity of many German divines, even, is proverbial with all theological scholars in this country, and throughout Christendom. The effect their efforts have had, and the results of the exertions of infidels, outside the Church, are evident in the morale of the shoals of infidel Germans, who have for years been floating to the shores



of this continent, and like fetid masses of putrid locusts which are washed up on the Mediterranean coasts, spreading pestilence and death, have tended so powerfully to degenerate and corrupt Northern society, and to put in it, especially in the North-west, so many elements of disease and social rottenness. The socialistic infidelity of the Germans of the North-western States of the Old Union, is about as well known as any fact about them. Their newspapers are nearly all of this cast. They have no Sabbath, no Bible, no God. The blasphemous rants of Carl Shurz, in the political canvass of 1860, yet rouse the horror of the reflecting men of the land, and serve to remind the people of the country, that the nation which produced him, has given birth to thousands like Carl Shurz, and has infidelity enough within its limits to leaven a world, if it were not for a superintending Providence, to prevent so dire a result. Bishop Potter, in the work I have mentioned, on page 52, quotes a declaration of one of the most prominent ministers in Germany, to the precise effect of the statements I have now made. He represents Dr. Wichern, as declaring at a public missionary meeting, in Germany, that the friends of the Bible had all the science, art, and literature of the Empire against them. The Bishop thinks this an exaggeration, but says, at the same time, that it is accurate to an extent that is "truly appalling." Other evidence of the truth of my averment on this subject, sir, might be adduced, but space will not allow, nor do I presume it to be necessary. The fact is indubitably so. The infidels of Germany are not few in number, but their name is legion, like that of the devils of antiquity, and their influence is scarcely less pernicious. Aye, sir, if we had not been informed that the ancient legion of lost spirits, had gone into the herd of many swine, I think it might have been sagely conjectured that they had entered into the myriads of German free-thinkers of these days; for scarcely anything else could explain their multitudinous rush into the dark sea of infidelity. These stern facts will hardly be controverted by any one who values his reputation as a man of correct general information, and yet it is to Germany, that men in our midst would have us go for morals and for laws. The law of God-defying Germany, on the subject of gambling are to be brought across the sea, and planted in the infant bosom of the new-born republic. A practice, which a majority of the States of the Confederacy now solemnly declare to be a vice of no common baseness, is to be stripped of that black robe, by formal, legal enactment, is to be adorned with garments of purity and whiteness, and Virginia, the mother of statesmen and law-givers, is to be the first to pay honor to the long neglected virtue of this social monster. *Virginia is actually to take the lead in imitating Germany, in the matter of legalizing gambling.* By way of dimin-

ishing the vice, we are to enact, in our land, the laws of a country, where gaming in its most revolting forms, confessedly and notoriously, prevails to an extent unprecedented in any other nation under heaven. The men, sir, who desire this thing, (and they are not few) should retire to their gambling dens in reddening shame, and confusion of face, for the light of heaven is polluted by shining on their impure countenances. Every person who goes much into the world, hears gamblers expressing *their wishes* that the practice should be legalized, but when such proposals are made through the press, the scorn of an indignant people should be hurled at them, and the authors of such plans, whether they are designing men or ignorant men, should be made to feel the scourge of the public wrath in all its bitterness.

Let public opinion, sir, be organized and concentrated on the subject of this vice. Public sentiment in Anglo Saxon Christendom has put an end to female gambling, as a general thing, and it is confessed, that even in Germany, where gambling houses are licensed, the females of the country, as we have been lately told, rarely game; that gambling among women is mostly confined to females from England, the frequenters of West End and Grosvenor Square, who receive no countenance at home, and therefore resort to numerous spas of Germany, even, can prevent female gambling or extinguish it when already existing, (though, perhaps no evidence can be found of its prevalence there as a *common* evil) if public can do this much against *female* gaming, why can it not do great things against gambling among *men*? Let this opinion take on its keenest edge in this thing, let fathers and mothers warn their sons as much in regard to this vice, as they do in reference to the intoxicating cup. Let the various classes of professional men use their respective engines of power, to their utmost capacity, against it. Let anathemas, which have hitherto slept, awake from their slumbers and break over this crime. Let them issue from the bar and from the bench, from the chair of the professor, from the pulpit of the preacher, from the sanctum of the editor, as a great statesman once recommended, let them come from the *marque* of the commanding general on the field of war; let the friends of law and the common virtue unite their voices and compel themselves to be heard everywhere, on a matter so vitally interesting to all, so nearly concerning the public morality and happiness of all. Let this be done and more stringent laws be arrayed against this immorality; cause them to be carried out in the country as well as in the city, in villages as well as in the larger communities, and this cankerous excrescence on the social body must necessarily diminish, and gamesters and their abettors shall be hunted from among men, as we do a murderer, an adulterer, or a thief. Let every gambler have on his brow the broad black

seal of reprobation; teach the youth of the land to regard such men as thieves and robbers, and common nuisances, and then a new generation of men shall, in time, come upon the social stage, and this crime shall be reduced to as low an ebb as human laws and general opinion can bring any vice. In order to prevent Richmond's becoming as New Orleans has lately been, the writhing victim of 110 gambling holes, let the strongest laws be passed by a legislature, jealous for the honor and welfare of the people, make the punishment both *severe and certain*; let gamblers be given to understand that *they* at least, shall not dictate to law-givers as to whether their practice shall be treated as a misdemeanor, rather than as a felony; let all men who want the Government to support itself, or take care of the poor, by taxes on gambling, be reminded of what Paul says of those who would do evil that good may come, viz. that their "damnation is just." Teach men that the vice of gaming, does not consist in cheating at cards, in what some might term the abuse of the practice, but that *the thing itself is an abuse*, that to speak of the abuse of gambling is like descanting on the abuse of drunkenness or of roguery, that the *act itself* is a vice, cheat and a fraud, that the "integrity of gamblers" is a contradiction in terms, as much so as to talk of a sober drunkard or an honest thief; rouse private citizens, to show this evil as little countenance as they do to the reeling sot, or the branded rogue; let them teach all their sons and daughters to avoid gamblers, as they would the noxious miasma of a pestilence; bring to bear on this crime the whole moral enginery of public law and public opinion, and people who come after us shall rejoice in the removal of a fearful burden, and inhale a purer moral atmosphere than that which surrounds the men of our day, and our land.

W. M.

Buchanan, Botetourt Co., Va.

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### APOLOGETIC.

*Faire sans dire* has ever been the modest aim of "Erskine." Taste, properly refined, must forever eschew all manner of *estalage*—especially that of pedantry; but because "Erskine" failed to adduce *au pied de la lettre*, the testimony Perseus left on record against Amez-Ace, "W. M." in his rampant ambition to expose and deride the humble poverty of "Erskine's" erudition, and to "hang out the banners" of his own affluent *savoir* "on the outward walls" *pro tempore*, forgets the terrific boasts of implacable hostility to gaming with which he has of late been causing the gambling world to stand aghast, and to gratify at one and the same time, his vanity and his malice, he calls to the wit-



ness stand, not only the immortal poet aforesaid, when his testimony is directly against him, but also that evangelical law-giver to whose inspired pen we are indebted for the Pentateuch, when the testimony he gives, under "W. M.'s" own construction of it, locates the vice of gaming within a squirrel's jump of the flood. "W. M." is certainly an unfortunate wight. In some awkward form or other he seems to be fatally doomed to figure continually in *comédie larmoyante* (*distressing farces*.) At first this was a source of no little amusement to "Erskine," but it is so no longer. Toward "W. M." "Erskine" cherishes no vindictive feeling. Juvenal educated him above it when he said: *Minuti semper et infirmi est animi exigique voluptas ultio*. (Revenge is always the pleasure of a narrow, diseased and little mind.) So did our own poet who said:

"Revenge we find  
The weakest frailty of a feeble mind."

And as the rapidly accumulating misfortunes of "W. M." have reached a climax in this controversy where a magnanimous commiseration must swallow up everything resembling a vindictive resentment, "Erskine" has generously resolved that in order to afford to the devoted head of "W. M." a temporary respite from the storm of quips, gibes and hoots, his manifold palpable blunders have called down in fierce torrents upon it, he will *ad hoc* make an effort to deserve to be laughed at himself, and to that end, will take a literary *escapade*—spree, go on a regular classical "bender." Be not alarmed then *lector benevole*, if

"Bernam wood  
Do come to Dunsinane."

Or, if to the *finale*, of poetical and classical quotations, metaphors and allusions "the cry is still they come," and, if *en attendant* the idea should occur to you that "Erskine" is affected with a *poco di matto* (slight tinge of madness,) you will perceive if you look further, *avise la fin*, that there is method in it. "W. M.," it is apparent, solemnly believes that in poetical and classical quotations there is a mysterious power—a power before which facts and their logical sequences vanish, as Macbeth's witches did into "thin air," and, gentle reader, as it is not you, but "W. M." that "Erskine" is after, and there is but one way to fight the devil successfully, to wit, with fire, you must draw your cloak around you, for verily

"*Poetica surgit  
Tempestas.*" (A storm of poetry is gathering.)

CAN GAMBLING BE SUPPRESSED?

To "W. M.",—At the head of an article I addressed, on the 7th of December last, (1861,) to the Editor of the Whig, I pro-

pounded the above interrogatory. In that article I assumed deferentially, that *a mon avis* the total suppression of gambling was an utter impossibility, and gave some of the facts and *rationale*—*expose de motifs* (a statement of reasons), which had conspired to force that conclusion upon my mind. Whereupon you affected to have been smitten as with an electrical shock from a galvanic battery, of horror, and snatching up your “gray goose quill,” rushed into the *curriculum* to pit yourself against all comers, who, in your august presence, should dare to draw their blades in defence of my views. The partial suppression of gambling, I admitted was practicable, and suggested the outlines of a law, which would, if promptly enacted and vigorously enforced, be bound to produce favorable results in that direction. You joined issue with me upon the opinion I gave, the facts I stated, and the feasibility of the remedy I advocated. A controversy ensued, in which you have advertised too woful an amount of universal ignorance to give to your own opinions any other character than that of will-o’-the-wisps, my facts you failed to confront with facts, and the only remedy you suggested in lieu of the one I advocated, was an old effete and exploded theory which has been weighed in the balance and found wanting. Your last article appeared in the Whig of the 14th inst., (February, 1862,) and is substantially *C’est le refrain de la ballade*, (the old story over again,) *crامة bis cocta*, a mere *rechauffage*; and as in it there is nothing new that is true, or true that is new, I shall take leave of you in a *resume*—recapitulation of some of the facts which constitute a part of the history of our discussion, each of which, or at least each of the more *instantiæ ostensivæ* of which I shall endeavor to demonstrate is a polemical blunder, not for the idle or wanton purpose of *persiflage*, but with the benevolent hope and earnest desire that it may exercise a mollifying influence upon that *amabilis insania*—amiable infirmity of which your modesty is occasionally the victim, to wit, the conceit, that in your pen there is a supernatural magic, and in your logic an irresistible momentum. It is true it is a mere *mentis gratissimus error*, (gratifying mental delusion,) and it may wear the appearance of cruelty to seek to rob you of it, but it is a duty I owe to the public. You have been guilty of sundry flagrant violations of the laws of good taste, and as you plume yourself upon being the advocate of the rigid enforcement of the iron letter of the law, you must remember that the holy evangelists from whom you quote with such a remarkable *pleonasm*, warns you that he who lives by the sword must die by the sword. Roushonceald tells us “few are so wise as to prefer the censure which would be useful to them to the flattery which betrays them,” and if I should not receive for the enumeration of your *niaiserie*s, with which I shall herein furnish

you, the gratitude to which I shall be entitled, I shall neither be disappointed or surprised.

“Now to the instruction of an humble friend,  
Who would himself be better taught, attend,  
Though blind your guide, some precepts better known,  
He may disclose that you may make your own.”

*Imprimis* then you committed a prodigious blunder in thrusting yourself forward to provoke this controversy. The question under discussion is intrinsically of a legal type. Discussion can have but two legitimate objects, to wit, the elimination of truth and the edification of mind. To you, legal science is a sealed book.

“There needs no ghost, my lord, to come from the grave  
To tell us this.”

In the misuse you have already made of legal terms you have converted an incorporeal hereditament into lands and tenements, and pray, sir, how can a planet shrouded in a cimmerian opacity shed light. *Ex nihilo nihil fit* (nothing can come from nothing.) The science of the law is as deep as the sea, limitless as the universe, and “eternal as the stars.” It requires the “lucubrations of twenty years” to reach the point of a formal acquaintance with it; familiarity costs the immolation of a lifetime, yet you have had the cool audacity to present yourself before the world on the soil that produced the God-like genius and holds the sacred ashes of the illustrious Chief Justice Marshall, to edify mankind upon the merits of a question essentially legal before you are able to discriminate the terms which describe a personal chattel, from those technically representing a landed estate, which to some extent may account for the quizzical *mauvais pas* into which you pitched headlong when you attempted to work up a landed estate into that *immarcessible* illustration of yours. You have evidently devoted your past life to some other calling than that of the law upon which benignly fortunate circumstance those lucky litigants who might have been your luckless clients, are justly entitled to a hearty congratulation, and, I respectfully suggest that your own proper calling is as much as you are equal to. Propertius hit the head of the nail when he said, *Omnia non pariter rerum sunt omnibus apta*, (all things are not alike for all men fit,) which has been happily versified thus :

“One science only can one genius fit,  
So vast is art so narrow human wit.”

Toward the conclusion of your last article you propose to rouse the pulpit against this license law, and now sir, allow me to suggest to you that therein you committed another blunder. It is the business of the pulpit to expound the written laws of



God. With the hustings and the merits of the questions canvassed there, it can properly have nothing to do. It was the pragmatism of the pharisaical cant—whiners of the New England pulpit that attempted to dove-tail the political question of slavery into theology, that has placed a million of men face to face in arms against each other on tented fields and embattled plains. Against gambling it is legitimate and proper for ministers of the gospel to preach. But neither with this law or that upon one subject or another, is it proper or prudent for ministers to meddle in any shape or form, and the congregation and community that will tolerate it, will soon find the parsons whom they thus indulge, making stump speeches and scribbling in the newspapers, and if there is one curse that is more to be dreaded and deplored than another by the church it is one of these demagogical parsons whose passion for splurging cannot be circumscribed by the opportunities for display afforded by the pulpit, but who, to employ scriptural language, must go a whoring after the applause of the hustling, and the celebrity of *litterateur* in the press.

Your third mistake occurred in that "wild goose chase" you went on, after the imaginary virtues of that low down herd of *canaille*—*mendici mimi balatrones* (beggars, buffoons and scoundrels) known to history as the Antediluvians. I had simply insinuated that they were no better than they ought to have been *c'est à dire* that they were for all the world, just like other people, and it was for you to have exclaimed *justement vous avez rencontré*, (right, you have hit the nail on the head,) and to have worked up the *vraisemblance* of my specific charges, beautifully into the provocation of the flood. But you did not seem to think so, and thereupon sprung *dehors* the record a collateral and immaterial issue, to support which, you made a long and weary pilgrimage floodwards, only *avoir l'aller pour le venir* (to have your going for your coming), and merit the rebuke contained in Martial's apothegm, to wit, *stultus labor est ineptiarum* (silly is the labor bestowed on trifles.)

The world was created 4004 years before the birth of Christ and was 2348 years old when the flood occurred. Now, sir, were you on the witness stand and sworn would you swear that you do believe that for 2348 years there was no gambling on earth. Nobody believes you would.

I suppose you thought *quo e longinquo magis placent* (the further fetched the more things please,) and whether the bagatelles you brought home with you would or would not answer any other purpose, they would be bound to prove that you had made at least one trip to Corinth, and was a travelled gentleman and *homo multarum literarum*, (a man of great learning.) Be that as it may the "sports" if they are *gent liberale* must and *sans doute* do feel eternally grateful to you for the zeal and per-

tinacity with which you have struggled to establish a reasonable doubt that their avocation constituted any portion of that long catalogue of flagitious vices and crimes that kindled the wrath of Jehovah, opened the windows of Heaven, and broke up the fountains of the mighty deep. You vehemently denied that Barsabas and Matthias gambled for the Apostleship, and to illustrate the innocence of that simple little game of hazard, to the arbitrament of which they, through their friends appealed, you got up that unique and *sui generis* landed estate illustration of yours, about which, however, I never have been able to *coax or tantalize you to say one word since*. Each of these blunders might be properly designated double blunders, but to economize time, ink and paper, I will simply label them in the order they have been stated, blunders No. 1, No. 2, No. 3 and No. 4. I never pretended that any names to which I had referred had given dignity or innocence to gaming. You intimated that I did, which is blunder No. 5. You asserted, in round, blunt terms, that "*public opinion has put an end to female gambling for money*," (I quote *ipsissima verba*) which is blunder No. 6. Subsequently, you had the hardihood to claim that your allusion was only to the suppression of female gambling as "a general thing" and as "a vice" and confined strictly to the territorial jurisdiction over which the Addison school of civilization prevailed, but that was a mere *mutato elenchi* and is a construction of which your plain and direct language is utterly insusceptible, and then, when I proved that the females who still gamble in Europe, speak Addison's language and belong to his school of civilization, you condescended to make allusions to them the *mauvais ton* of which is well calculated to excite speculations upon the character of your past female associations, or the more probable insusceptibility of your nature to the gentle and beneficent influences of the sex, from which your vanity might find it no very easy task to derive anything that could be *ex facile* mistaken for solid *solatium*, and this, sir, must be scored against you as blunder No. 7. You then facetiously ask, where was murder, robbery, &c., &c., ever put down, thereby intimating that because those crimes have not ceased, that they are therefore, as gambling is, indirectly tolerated, which is blunder No. 8. You defined gambling to be the acquisition of something for nothing, whereas it consists in *risking one thing for another thing upon a contingency*, which is your 9th blunder. You denied that gambling was a pet passion of the million, but neglected to mention the name of any other pastime which you could venture to assert was the one-tenth part as popular, which is blunder No. 10. You then innocently recited a brief *relation historique* of your experience in the communities you had visited in the *Old Dominion*, which brought up to the surface of my memory—"caused to pass be-

fore my mental eye," an odd old Fish I once knew "Alas, poor Yorick" nobody knows him now—even the places that knew him once, will know him never more. He has gone to that bourne from whence not even a plausible rumor has ever yet returned. His name was Michael Spivy, and he was generally called "Uncle Mike," and Uncle Mike had a way of his own of always having his own way, *more suo*. I cannot truthfully say that the "flashes of his merriment (*a la Yorick*) were wont to set the table in a roar," but I do remember well that he was wont to roar himself when the table was not set at the usual time. He was born in a sequestered, rural ravine known as Possum Holler, in it he was reared up, and until he had seen forty winters at home he never had seen anything, elsewhere. Yet he was somewhat of a *crassa minerva*, and rose in process of time to be quite a *bahadoor* in Possum Holler. His *ipse dixit* there passed for a *quasi* sort of law, and when the wants of the Holler finally exhausted the remedial expedients of Uncle Mike's stock of political economy—his people gathered around him and representing to him the vast advantages that might inure to Possum Holler, and to his own fame, if he would only go out into the world and occasionally look around and about him, with a thoughtful, enquiring and observing eye, they urged upon him to go, and he went, not with his fingers in his mouth, bless you, but with his eyes and nostrils wide open. *Inter alia*, he was affected with a *mono mania* on the subject of universal reformation. He used to say that once on a time he had a revelation from on high, to the effect that he was born to be a Reformer, not on as small a scale as Luther was, but an Universal Reformer, and with the *afflatus* of this vision in his soul whenever he met with a custom or a habit that did not come square up to the standard of Possum Holler, he swore it was not right, and whenever he heard of anything of which he had never heard in Possum Holler, he swore it was not so—could not and ought not to be so. *Hac a te non multum abludit imago*, (this picture bears no slight resemblance to you) for it is plain to be seen that you want to rule the world and regulate its social institutions by the Botetourt moral *lex loci*, and seem to be astounded that anything that does not happen daily there possibly can happen at all elsewhere. So henceforth you must excuse me if I call you Uncle Mike, and allude to good old Botetourt (on your account only) as Possum Holler. Now, sir, when I spoke of the "million" I was talking not about Possum Holler, but the world at large. My allusion was to the myriads of human insects, the buzz of whom it is not rational to presume that the denizens of the Holler ever heard, and your attempt to make the mountain of the world go to the Mahomet of Possum Holler, is blunder No. 11. You charge me with going off half-cocked, and recommit to my more special examination



one of my own arguments, under your *eclaircissement*. This was a specimen of *friendly familiarity*, the propinquity of which to your subsequent *well intended* allusion to my paternal responsibilities is patent upon profert—*recta fronte*, all of which have in them the genuine tinkle of Possum Holler, and outside of that celestial Empire must run imminent risk of being christened, for the want of a more euphonius “term,” impertinence, and amounts to a brace of blunders, but which I will consolidate and simply claim is blunder No. 12. I assumed that the rigid enforcement of a law licensing and regulating gambling would abolish it entirely in villages, and confine it to a few houses in the larger cities. To this you replied that the most depraved could club together and *pay the tax*, forgetting *ex facie* that the law suggested required *a heavy bond to be given* to protect the public against both frauds and insolvency, and which only *men of character* could give, and this is blunder No. 13.

You stated that a mere garland of leaves was the only prize for which they contended in the Olympian, Isthmean and Pythian games. Tacitus and Heroditus and the more modern historians, Otteley, Rutt, Pocock and Talfourd, all say that the prize awarded the victor was *frequently* money; which is blunder No. 14. You said I had plead the antiquity of gambling in vindication of it, whereas I never filed any plea whatever in vindication of gambling; which is blunder No. 15. Moreover, I never heard its vindication attempted by any one, *a coeur ouvert*. You say I represented you as bringing forward your idea about a “restriction upon men’s liberty” as an argument against my plan, whereas such a representation I never made; which is blunder No. 16. Your mind seems to be perpetually enveloped in *nebulae*. You remind one of a ship at sea in the fog without a needle or an alarm bell, and you seem to say everything you do say *a tort et a travers* (at random.) *Axiomata*, you have none, save one, and that is, to never lose a good opportunity to blunder. About matters of which you know the least you say the most, especially when any “damnation” that is “just,” as you take it, is to be done, wherein you remind one of a certain batch of critics, of whom Cicero spoke when he said *damnant quod non intelligunt* (they condemn what they do not understand.) Yet you become indignant if any one presumes to suggest that you may per possibility be mistaken. Certainly you never could have heard of the old French aphorism, *grande deraison de pretendre toujours avoir raison*. (It shows a remarkable want of reason to be fancying one’s self only always in the right.)

You set out in this controversy to make it a logical tournament. Logic was the burden of the song you came charging into the *champ clos* singing, and I expected to see the stars of Dr. Thornwell, Daniel Webster and Lord Bacon all batting their

twinkles in a sombre eclipse under the gorgeous blaze of ratiocination with which the horizon of Possum Holler was to be lit up; but lo! it aint so, and the candidate for logical laurels from Possum Holler has bolted from the broad, smooth and open highway of induction to bushwhack it among the brambles and briers of opprobrious epithets. No doubt Dr. Thornwell feels easier, and the good angels that watch over the stars of Webster and Bacon's fame have, I dare say, waved their plumes in congratulation to each other, that in their proper orbits, to employ the *novissima verba* of the God-like Daniel, they "still live." When, however, you put aside the Damascus blade of logic and commenced throwing the brickbats of Newgate (for I know not by what other name to call epithets) you told the world that short sword exercise was not much in vogue in Possum Holler; that you did not know much about couching lances astride of fiery steeds, but that if they would permit you to dismount from your high mettled Pegasus and chunk the gamblers with billingsgate, that you could and would show the world, or, at least, that portion of it who are resting under the *communis error* that *mots d' argot*—*slang* is peculiar to fish markets, how little they know of the extent to which the liberty of speech is indulged and *enjoyed* in Possum Holler; and therein you committed blunder No. 17. And when you suppose that you can enjoin gambling with mephytic gaze, or demolish or reform gamblers with tirades of obloquy, reproach and denunciation, you only betray how superficially you have read that exhaustless volume of riddles, entitled "human nature," and to correct which I refer you to the history of one Bill Sykes, as written by Dickens in his charming little romance, of which *Oliver Twist* is the hero. Bill was an outlaw and had provoked the public to a point whereat they were not to be restrained or controlled, so they rose against him *en masse*, and run him up a tree, and so graphic and thrilling is the picture that Dickens gives us of the tortures and agonies under which Bill writhes, while the infuriated mob, greedy and thirsting for his blood, are howling like so many ferocious wolves about to seize their prey, that as a worker in the moral vinyard, he breaks down, for the shudder of sympathy which he causes to involuntarily shock our sensibilities for the awful sufferings and impending doom of this abandoned wretch, announces to us that we have forgotten the crime to commiserate the criminal, and, in attempting to make us approve his fate, he forces us to wish he could escape it; and *you* committed precisely the same blunder—(and it is No. 18), when you opened the batteries of your abuse, and poured into the ranks of the gamblers such a merciless broad-side of molten villification. There are to be found in the city of Richmond, gamblers capable of *le patriotisme le plus pur*, (the purest and most disinterested patriotism.)

A gambler was recently indicted in Richmond, and put upon his trial, for keeping a gambling house. He summoned to the witness stand Confederate Brigadier Generals and Confederate Senators, and by them he proved the rendition of services to the Confederate States, which in value to the country were above all price. Yet he asked no remuneration, and received none, notwithstanding he had incurred a heavy expenditure of his private funds, and imperilled his liberty and his life. It was proven that it was upon the information he procured, that the movements of our troops were controlled on the 18th and 21st of July last (at Bull Run and Manassas.) It was proven, moreover, that he had expended dollars by the thousand to arm and equip soldiers by the regiment. He was acquitted, and I heard a member of the church say, who was on the jury, that under the high character he established before that jury for probity, patriotism and usefulness, they could not have brought witnesses enough into that Court House to have convicted him. True, it may be, that he did once preside over one of those fashionable Main street "hells," but if he did, it seems that when he was there it was not with the clatter of clicking checks his thoughts were occupied, but while others, who were there to win his money, if they could, were standing with bated breath, over the turn of a card, *he* was pondering upon the best way to invest whatever it might win for *him*, to contribute the most comfort to our camps, and advance the cause of our common country. He gambled *non sibi sed patriae*, (not for himself but for his country.) And, sir, when the hoof of the invader first threatened the green fields of your beloved Virginia, who was it that was the very first to rush between your defenceless bosom and Yankee bullets and bayonets. Captains Arthur Conner, James Nilligan, John Barclay, Mange and Hawes. Those gentlemen spent over twenty thousand dollars to expedite their precipitation into the field, and there they have been ever since, and I heard an officer of high rank and astute perception, say but the other day that these captains whom I have named above, were worth, to the Confederate army, ten thousand times over their weight in gold. One of them has since been made a major, and others of them have been frequently paid the highest compliments their rank could receive, in the posts of duty to which they have been assigned when occasions seem to be at hand that were to try men's souls. Now, sir, what do you suppose is their calling—every one of them belong to that proscribed class over which you of late have been wailing so bitterly, and gnashing your teeth so savagely, and, sir, when *rabido ore* you apply to such men such epithets as "thief," "robber, and "murderer" your *boutade* becomes *te-lum imbelles sine ictu*, (a feeble dart thrown without effect,) and you put the language of Horace in the mouth of everybody, to



wit: *Quodcumque ostendis mihi sic incredulus odi*, (whatever you show me in such a way as to outrage common sense, I view with feelings of incredulity and disgust.) The public are bound to know that the opprobrious terms in which you deal, does not contain the truth, and the popular sympathy that such virulent vituperation will arouse, will lose sight of the crime to shelter the culprit. In Possum Holler, I dare say it might work well, but among the outside barbarians, no higher appreciation of slander obtains will enable us on this side of that "wall" to despise that unmanly vice, and if you persist in attempting to sow broad-cast over the land these Possum Holler morals of yours, you are destined not only to hear breaking upon your startled ear

"The laughter of triumph and the jeers of the world,"

but you will finally precipitate all Possum Hollerdom into *en mauvaise*—eternal disrepute. You ask could anything be more obvious, than the proposition, that the severer the punishment, the greater the probability that men will be deterred from the commission of the unlawful act?" Why, sir, if you will make the penalty for gambling death, your special *proteges*, (the lowest class of gamblers,) would deal faro with impunity *en plein jour* in the Market House, or at the Court House door, when your grand jury are in session.

That is a wise legal maxim of which I reminded you in my last letter, to wit—"The wisdom of a law consists not in the severity but the certainty of punishment." It originated in that enlarged and comprehensive spirit of philanthropy to which we are indebted for *summum jus summa injuria* and also for *jus summum saepe summa est malitia*, legal maxims which rule the adjudications of criminal tribunals throughout Christendom, and furnish conclusive proof, that the proclivities of the law under the guidance of human judges, are setting, with no ordinary impetus, in the direction of clemency, but you, I perceive, are predisposed to rebuke and repudiate this sign of the times, but, sir, it is no sickly sentimentalism against which you are arraigning yourself, but a wholesome, salutary and benign innovation upon the cruel barbarisms of the feudal ages, and has commanded the respect and controlled the conduct of our wisest judges and most austere executives.

Over forty years ago, gambling was made a felony in the District of Columbia, and during the presidency of General Jackson, one Jacob Dixon was convicted and sentenced to the Penitentiary for gambling, whereupon old Hickory decided that the penalty was disproportionate to the offence, and immediately sent him a pardon. For about a quarter of a century thereafter, that law was violated every day in Washington City, with impunity, until William Marcus was convicted under it during the presi-

dency of James Buchanan, when old Buck, taking the same view of it old Hickory did, in Dixon's case, disposed of the case of Marcus in the same manner. Humanity is one of the ruling instincts of our race, and that pious minstrel woke celestial music when he swept the cords of the human heart with the following simple words:

"Teach me to feel another's woe,  
And hide the fault I see,  
That mercy I to others show,  
That mercy show to me."

Man's nature is eminently emotional.

"Compassion proper to mankind appears,  
Which nature witnessed when she gave us tears."

And in that solemn, sublime and beautiful prayer which fell from the lips of our Saviour, we are instructed to say to our Heavenly Father, "*forgive us our trespasses as we forgive those who trespass against us,*" and the old Latin poet tells us:

*Licuit, semperque licebit  
Parcere personis, dicere de vitiis.*

(It ever has been lawful and ever will be to spare the person but to censure the vice.) You referred me to the sermons and conversations of our Saviour, and I find that he loved the criminal when he abhorred the crime. Yet you seem to be as rabid as a copper-head in dog-days, against all persons occupying an equivocal position in society. And why! Hath not gamblers eyes, hath not gamblers "hands, organs, dimensions, sense, affections, passions? fed with the same food, hurt by the same weapon, healed by the same means, warmed and cooled by the same winter and summer, as "deacons" are. If you prick them do they not bleed, if you tickle them do they not laugh, If you poison them do they not die." To you it evidently never occurs that in them there can linger a redeeming quality. Upon your frozen and obdurate heart the example and the injunctions of the world's Saviour are utterly and forever lost. When a poor, fallen and friendless woman was taken *flagranti delicto*, and dragged before him for judgment, he pronounced a sentence which sent her *manly* prosecutors sneaking, like whipt spaniels, out of his presence. To her he mildly said, "Go and sin no more." And, if you will turn back into the Old Testament and read the history of Joshua's expedition against Jericho, you will find that when the gates and walls of that city toppled into ruins under the inspired blasts of his ram's horns, amidst all the wreck and desolation of that hour, the domicile of Rahab the harlot, stood a monument of divine mercy; and pray, sir, why? Simply because she had sheltered two of Joshua's spies and assisted them to elude pursuit. Yet when gamblers render services to

the Confederate States of ten thousand fold greater value than were the services of Rahab to Joshua, but for which an all-wise, supremely good and sternly just God, threw over her mansion and her person the mantle of his precious mercy, you denounce them through the public press as "thieves" and "robbers" and "murderers." From the frequency and facility with which you dealt in Scriptural quotations, I did, at one time, flatter you with the suspicion that you was most probably a deacon; but I do ardently hope and trust, for the sake of the Christian religion and the general welfare of society, that in this vague surmise I was entirely mistaken. For, sir, let it once get bruited abroad that W. M. is a deacon, and that deacon W. M. handles so flippantly and expertly, such savage expletives as "thief" "robber" and "murderer," and what else can we reasonable expect, but that all the beardless boys in the country, will straightway be found dipping into expletives too, and that when arraigned for it, they will point to your example as high authority for its correctness and propriety. What could you have been thinking about—oh deacon, deacon, (if you are a deacon) to set before the impressible youth of our land such a "nefarious" example. Between harsh epithets and mild oaths there is scarcely a colorable distinction. You pass from one to the other imperceptibly. To say the least of it from epithets to oaths is but one step, from oaths to whisky but one, and but one from whisky to cards, and when a boy has reached cards, deacon don't you know he is hellwards bound, and is as surely doomed to drop into the eternal pit when he dies, as ripe fruit is to fall when it is shaken by an autumnal blast. Oh! W. M., W. M.! deacon W. M.!! what an awful curse is this with which you, by the dint of an evil example, are threatening the hopes of our youth and the happiness of our homes. Don't you remember Horace tells us *nil agit exemplum litem quod lite resolvit*, (that example does nothing which in removing one differently introduces another). Yet in the face of this trite axiom, you, in an ineffectual attempt to prevent what you misconceive to be a prospective evil, sow broad-cast over the land the dragon's teeth of profanity, from which are destined to spring up a crop of armed foes to every virtue that can contribute to promote the social elevation and national prosperity of our young Confederacy. And moreover, there seems to be an awful looseness about your morals generally. You say, when in trade one man swindles another, "*it is only a mere case of fraud.*" That is true, and when one man knocks another down and rifles his pockets, *it is only a mere case of robbery*, and when one man with malice prepense blows another man's brains out, *it is only a mere case of murder*, and when you denounce as "thieves," "robbers" and "murderers" men who have left their homes to come here to defend your home, but had never committed theft, rob-



bery or murder, it was only *a mere case of contemptible slander and mean ingratitude*. What may not be the effect of this criminal levity of yours about "*a mere case of fraud*," in callings that you extol to the skies, and "applaud to the very echo." Will not millions plunge headlong right into the deepest depths of swindling and cheating, and exclaim, if they are caught, "in the language of deacon W. M. *it is only a mere case of fraud*."

*Nimias illac licentia,  
Profecto evadet in aliquod magnum malum.*

(Such excessive licentiousness will most certainly terminate in some great mischief.) Heavens and earth! just think of what a spectacle we shall soon present. With cheating, swindling, and profane swearing, inculcated by the example and connivance of our prominent deacons, our fame as cheats, swindlers and profane swearers will soon "rise out of obscurity into world wide notoriety," and not only will mere cases of fraud and blasphemy be "mightily increased, but they being the parent of many other crimes, every sluice of iniquity will fly open, and every vice rush unfettered and uncontrolled through the land," and then indeed, verily may we expect that we certainly will "attract the wrathful curse of the Lord Jehovah. And if you designed such a result and rejoice at it, well may you exclaim in the language of the epitaph of Sir Christopher Wrenn—*Si monumentum requiris circumspice*—(if you would behold my monument look around you.)

"Will all great Neptune's ocean wash this blood  
Clean from thy hand?" And,

"Can such things be,  
And overcome us like a summer cloud  
Without our special wonder,"

*Deprendi miserum est*, says Horace and I dare say you are realizing the truth of his words, and I dare say, moreover, that the vulture, remorse, is tearing with crimson beak and bloody talons, the quivering liver of your guilty conscience. I sometimes think, when I remember that there is such a thing as "sinning ignorantly," therefore, innocently, that you would have made a good member of Absalom's band as it would seem, that to this controversy you "went forth and *knew not anything*," and I am warmly inclined to acquit you of all complicity with cheats, swindlers and profane swearers, but then again when I reflect that there is but one calling that is either willing to, or susceptible of, being made honest, and you oppose making it so, and that while I never met in my life with a man depraved enough to advocate gambling; you speak of plausibilities "*so often heard among the advocates of this practice*," and of their *often* expressed "wishes" clearly indicating that you are the *habitué* of

the same resorts they are, and mingle with them, my mind recurs at once to the devouring passion with which you seem to hone after abusive epithets, and "*as a mere case of fraud*" then passes "before my mental eye," I find that however willing the spirit of my faith may be to stand by your shortcomings, the flesh is too weak, and I abandon the rickety fort of your character as indefensible, or in other words, bound to cost more to defend than it would be worth, especially after it would be riddled, as riddled it could be, by the cannon-balls and bomb-shells of the enemy.

Pray, sir, what is the *ratio justifica* of all his venom and vehemence? Where do you find an authority that sustains the efficacy of such amarulent invective? Certainly not in that beautiful maxim attributed to *Seneca*, to wit: *gratia gr̃atiam parit* (kindness begets kindness.) Nor in that equally felicitous French proverb, to wit: *Douces paroles n' ecorchent pas la langue* (soft words scald not the tongue.) You referred me to the sermons and conversations of our Saviour. Allow me to reciprocate that attention, and at the same time inquire of you, when he was among men, "going about doing good," reforming sinners and rebuking sin, on what occasion did he stoop to the employment of harsh and insulting epithets? I should suppose it would have only taken a modicum of common sense to have informed you that you could not affront a man and then reason with him; and when you call gamblers by hard names you literally emasculate the moral influence your exhortations might otherwise have among them. Cicero tells us *conciliat animos comitas affabilitasque sermonis* (courtesy conciliates the feelings,) whereas *lis litem generat* (strife begets strife,) for, says the proverb, *contumeliam si dices audies* (if you utter affronting speeches you will have to hear them,) which has been more forcibly put by another author thus: *cutem gerit laceratam canis mordax* (a snapping dog wears a torn skin.) So you must learn how to behave yourself pleasantly or keep out of the press; bridle either your vanity or your temper. On the threshold of this discussion you appointed yourself *arbiter elegantiarum*, and pertly "cocked yourself up to read me a lecture upon "refined" "ways" and "polite" "terms." What would our readers think of you now if you were to repeat the complaints you made then, *quis tulerit Gracchos de seditione querentes* (who could endure the Gracchi complaining of sedition.) Would they not laugh to hear that *Clodius accusat moechos* (Clodius accuses the adulterers.) There is a broad difference between writing *conspirito* and the intemperate indulgence in acrimonious adjectives and criminal charges to which you condescended, (at least it would have been a condescension for any one else.) How did you ever manage to work yourself up into such a tempestuous *furor*? Some of your sentences remind one of volcanic eruptions of the

lavæ of gall and wormwood, which, as it flows down from the crater of your pen, seems to burn into the face of the green earth over which it rolls, "thief," "robber" and "murderer." But I find I have been neglecting for some time to number your blunders as I go "upon my way." Many of them, it is true, are too small game to shoot a figure at. They came without a mission and departed without a sign, and I shall not haunt you with their ghosts. Moreover, I am afraid if I were to give you a faithful picture of the grotesque deformity of your mental organism you might follow in the footsteps of the Grecian Acco, who, being both vain and homely, upon beholding her face, for the first time, in a mirror, went raving mad. I shall, therefore, content myself with calling your attention to a few more, say, a dozen, among which your bigoted intolerance, as exhibited in the fanatical fury with which you assail my proposition to license gambling, occupies a prominent position. After denouncing it as a "nefarious proposal," which outlandish term has the scent of a fish market all over it, you then go on to say, in your characteristic vein, "when such proposals are made through the press the scorn of an indignant people should be hurled at the authors of such plans, and whether they are designing men or ignorant men, should be made to feel the scourge of the public wrath in all its bitterness. *Che Spezie*. Now, sir, this kind of blustering and bravado may sound very big up in Possum Holler, and it may be that you have got Possum Hollerdom so literally under your thumb, that after such an explosion from your "potent, grave and reverend" deaconship, it would be *ex vano* risking all a man's life is worth to ever attempt to agitate the subject in that vicinage again, and the inference is a fair one, that such is the fact, for if you had not been encouraged in petty despotism at home you never had had to be checked for your impudence and presumption abroad. I dare say Possum Holler is ruled with a rod of iron; that you issue your *lettre de cachet* and *premunire* on your own motion, and that when your fiat is not promptly obeyed *you quote poetry* to your subordinates after this style:

"You scruple, silly lout! 'tis my command,  
My will—let that, sir, for a reason stand."

Still, nevertheless, it is otherwise, *alio sub sole*, and even here, in Richmond, the freedom of opinion, the liberty of the press, the right of free speech and free discussion still have scattered around and about *par ci par la* a few bold and stubborn friends, who will be very apt to be found, as of yore, turning their thoughts at large,

"Without a pass from Rhoderick Dhu,"

(of Possum Holler.) You may rain, if you choose, the brimstone and fire of your ire on Possum Holler as long as its inhabitants are



meek and sheepish enough to tamely submit to the pittance pelt-ings of the sulphuric storm, but whenever you attempt to launch the thunder bolts of your proscription beyond the frontiers of *that* Holler you will soon be taught, sir, of what brittle and harmless material it is they are constructed; for the only echo they will or can arouse among a people struggling for independence will be withering "curses of hate" and red hot "hisses of scorn." Among other instances of your high handed presumption your attempting to usurp the judgment seat and pre- side at the final trial of poor Sheridan, and send his soul to eter- nal perdition, is the most blasphemous. All this you did, when you said that he had died "God forsaken." How do you know that, my rantankerous deacon? Did not a thief on the scaffold re- ceive a passport in the very article of death to Paradise, and how do you know but that poor Richard Brinsley met with a similar demonstration of Divine mercy? If you are a theosophist and have had an interview with the recording angel and do speak by the card, I suppose it must be so; otherwise I think it just as probable that Sheridan's soul is in Abraham's bosom as that the soul of a ripping and cavorting deacon ever can get there.

You say, "Indeed I can inform "Erskine" of what he evi- dently does not know, which is, that there were games of *chance certainly* about the Christian era, and that money was put up as now by the gamesters." Ah deacon, you are laboring under the charm of a strange whim, if you suppose that I either have told or ever will tell *you*, all that I know. I knew that the game of *mora* was played 4000 years ago, during the reign of Osertasens in Egypt, and that the ancient Egyptian King Remesis often played at *kollabismos* with the ladies of his own household, and that thousands of years ago dice were found at Thebes that evi- dently belonged to the Pharonic age; all this I learned from an attentive perusal of the writings of Sir J. Gardner Wilkinson. The dice that were used in Greece were invented by Palamedes about 1200 years before the Christian era. He also invented the game of backgammon. Then in mythological history, I knew it was recorded, that Mercury played at dice with the moon and won from her the five days of the epact which were added to complete the 365 days of the year. Thimble-riggers, I knew, were spoken of in the earliest history we have of Egypt, and Gibbon, I well remembered, had told us that Didius Julianus played at dice until a very late hour, on the night of the day his elevation to the Imperial purple was ratified by the Senate; and finally, I had read and not forgotten the history of a wager be- tween one of the judges of Israel and his people, as it is recorded in the 12th and 13th verses of the 14th chapter of Judges. Here it is—"And Samson said unto them, I will now put forth a rid- dle unto you, if you can certainly declare it me within the seven

days of the feast, and find it out, then I will give you thirty sheets and thirty change of garments. But if ye cannot declare it, then shall ye give me thirty sheets and thirty change of garments, and they said unto him *put forth thy riddle.*" Was a bet ever stated plainer or taken quicker. Think you, deacon, you can put *it* through a landed estate illustration. You have a way of your own of saying to personal chattels "presto change," and lo, the personality flashes out of existence and a "reality" flashes in. Perhaps the same necromantic power that produces such *merum* results, might, under a slight strain, make those garments Samson bet fit like a duck's foot in the mud, that illustration of yours which of all others is your *chef d'œuvre*. The truth is gambling "is no chicken." It counts the years of its age by thousands. *Humanum est errare* or as the poet says: "To err is human," and the habit of gambling, I grant you, was conceived in error, brought forth in error, and has in error grown gray; but, unfortunately, when error once becomes interwoven with the customs and habits of a people, it passes from generation to generation, and when it grows old, it claims and seems to command the reverence due to age. "Woe betide the hand," (said William Wirt,) that rashly presumes to pluck the wizzard beard of hoary error, for from lisping infancy to tottering age the curses, jeers and reproaches of all classes and conditions of society shall rest upon it." Burns tells us that error sometimes seems to have its origin in Heaven—

"I saw thy pulses madd'ning play,  
Wild send the pleasures devious way,  
Mised by fancy's meteor ray,  
By passion driv'n,  
But yet the light that led astray  
Was light from Heaven."

Neither wisdom or wealth seems to furnish any protection against error. Solomon, when he was the wisest and the wealthiest man on earth, abjured the faith to which he was indebted for everything, to run after Ashtoreth the goddess of the Zidonians, and Milcom, the abomination of the Ammonites, and from that day to this, all manner of little Solomons have been running after all manner of little Ashtoreths, and committing all manner of little hoary errors. When I mentioned that the roulette-table at which females gambled at Saratoga, was kept by one Gridley, you made that fact the sport of your wicked waggery, and I suppose for having mentioned herein the names of the various captains commanding companies under our flag who belong to the sporting fraternity, and when I mentioned, a few pages back, the names of Dixon and Marcus, I made another bid for your *facetiae*, and that I will be certain to get another one of those terrible bearded arrows of yours shot so deep into my grief-torn and

mangled bosom, that no manner of tugging and straining can ever get it out again. The only tangible basis for controversy is an issue—the affirmative and negative of which must be assailed or sustained by argument, the predicate of which must be data. *Ad summam* facts are the only available ammunition with which you can work logical batteries. Rhetoric will do for the powder (to make a noise), but the balls must be facts. When a writer or speaker in the progress of a discussion mentions dates and the names of persons and places, it is bound to commend him to the confidence of the reader. Whereas, if in the face of the old legal maxim *dolus versatur in generalibus* (fraud lurks in loose generalities,) he presumed to deal only in vague and loose generalities, if it is occasionally hinted that he *might be* mistaken in this or that statement, he can have nobody to blame but himself. In Possum Holler, however, *your* generalities outrank *all other* men's specifics. You will not find it so elsewhere, and if you do not want to have the *vis motrix* that controls you, gravely suspected, be a little more respectful for the future in your deportment toward specifics. You say in one of your last communications: "I said in a former communication, that Germany, where gambling is legalized, is also as infidel a country as any nation, within the limits of Christendom, could be." Now, sir, that is not what you said at first. Here is your language: "We must legalize gambling, as the French and Germans, with their notoriously low moral tone, have done. We must legalize it, as these two infidel nations of Europe have done, for they are, perhaps, the only two distinctively infidel countries on that continent." In this propensity you have for changing your language and positions, you remind me of the Norwegian bear, who, when her cubs are whelped deformed, licks them into shape, I dare say if this controversy were to last twelve months before it closed, you would testify yourself that there were gamblers who were not only human beings, but noble fellows, and deny stoutly that you had ever intended to call them thieves, robbers and murderers. Among the numerous collateral issues which the light shed by your erratic pen seems to hatch, as it is said the sun hatches, in certain latitudes, gnats and mosquitoes, in certain seasons, the infidelity of France and Germany was among the first that came out of its shell. I proved that they were Catholic nations, and peremptorily denied that skepticism had ever poisoned the high and learned sources from whence their legal fountains flowed, and to this prominent and important fact I pointedly and repeatedly attracted your special attention, and called upon you loud and long for your proof, that an isolated skeptic had anything to do with the enactment or enforcement of the law under discussion. This music you never did have the nerve to face, and yet you have the face—"still harping on my daughter,") to perti-



naciously insist that the infidels of France and Germany are responsible for a law, with the enactment or enforcement of which I have again and again challenged you to show *any* infidel great or small, ever had or now has anything whatever to do. Surely, you must have a sneaking notion of reënacting the fable of the wolf and the lamb, and proving the truth of the maxim, *homo homini lupus*. *En passant*, I have discovered, I suspect, *C'est le mot de l'enigme*, (the key to the mystery.) It is the fact that the lambs you are hunting down are Catholic lambs, and you, sir, beyond all doubt, are a Protestant wolf, *inde irae*, for I dare say that it is, when the revocation of the edict of Nantes and the massacre of St. Bartholomew pass before that "mental eye" of yours, that you set up such a doleful and unearthly howl in pursuit of these lambs, one would naturally suppose from the zeal and certitude with which you, without equivocation or qualification, assert the infidelity of France and Germany, that you were not only thoroughly familiar with their history, but that you had been for many years a sojourner among those peoples, and an indefatigable student of their laws, religions, manners, customs and habits. How else, inquires the reader, could a man know so much and know it so well. It seems, however, that you have gathered your prejudices against them in Possum Holler, and from such inklings of tattle and dribblets of loose talk as could be extracted from such strolling Frenchmen as you chance to travel with in visiting about among the neighboring Hollers. *Ecce signum*, "Whoever travels for a few hours (from one Holler to another) with a Frenchman who represents the average opinion and feeling of France, will see that that nation at large have hardly heard of Christianity, &c." Walter Scott never made his poor drivelling idiot, Simon Gallately, mumble over such peurile twaddle as this, and the Devil never sent from the infernal regions one of his own imps with a misrepresentation in charge more utterly bald, graceless and gross. Fortunately, however, the imbecility of a writer capable of such flatulent inanity cries trumpet-tongued, "*caveat emptor*," to the credulity of the reader. And you happily illustrate the truth of the proverb *dat Deus immitti cornua curta bovi*, (God gives short horns to the vicious ox.) You wring the changes on the origin of this law I suggested, with remarkable energy. Its coming from France and Germany you contend is alone sufficient to seal its everlasting, just damnation and preclude now and forever its adoption by any of the Confederate States. Now let us pursue this reasoning in the direction you insist it shall go. France and Germany foster their internal resources, develop their national strength, protect industrial pursuits, and flatter the arts and sciences. They fight their enemies and thrash them. They adhere to that international comity known as the law of nations,

and obey it. They have courts of justice, through the judgments and processes of which they coerce the payment of just debts and punish crime. They clothe the naked, feed the famishing, and nurse the sick. They live in houses, eat bread and meat, and wear clothes. Now, suppose your reasoning to be worth the shadow of a Scotch baubee, if we do one of these things we are bound to be damned inevitably and everlastingly damned. We must ignore the law of nations, put chains on the arts and sciences, license murder, theft, rape and robbery, because if we do not we will be imitating France and Germany, and will surely draw down upon us the "wrath of the Lord Jehovah." The French and Germans in times gone by, have endured the terrible torments of famine unto death, and in other cases set fire to their forts and cities and perished in the flames before they would surrender to an enemy. I suppose you would have our forts and cities hang out a white flag before they are beleaguered, and would interpose between the firebrand and the cotton bale, and tobacco casque, the objection that there is serious danger in it, because of the resemblance it must wear to the conduct of those silly infidels. In fine, we must live on herbs and in tents as the Arabs do, and go out into the world *in puris naturalibus* (stark naked) just because those miserable, impertinent, forward and "nefarious" infidels live in houses, eat bread and meat and conceal their trifling bodies in clothes. Yet strange to say in France and Germany there are less drunkards, murderers and gamblers than there are in America. These are statistical facts. What will you do with them. I am somewhat puzzled to decide which deserves the most signal reprobation your niggardly illiberality towards France, or your execrable ingratitude to Germany. No man has ever yet been held accountable among men for the ravings of insanity. Yet you point to what France did during the reign of terror—when she was in the throes of a frantic phrenzy, and her institutions were lost in chaotic anarchy, in order to put upon her the stigma of infidelity; and now, sir, in order to sting your compunction to the quick, if you have any compunction and that has any quick, I will call on you before the world to answer the two following questions: Firstly. If any man was elevated to power during the reign of terror because he *was* an infidel, who was it? Secondly. If any man lost his life during the reign of terror because he was *not* an infidel, who was it? You certainly have never read the history of the French revolution and until you do I hope and trust you will have no more to say about it. That you are a Protestant is self-evident, that you are deacon is remotely probable. If, however, you are a Protestant deacon, why under Heaven do you brand with infidelity the country, but for the Christianity of which you would either be without any religion at all, an infidel

or a Papist to-day. 'Twas on German soil, sir, the Reformation was born. 'Twas Martin Luther, sir, who invaded the papal cells in which the Bible had been buried, in monastic seclusion, for more than a thousand years; struck off its fetters, forged them into weapons, and fought with them its way to freedom and to fame. Yet in the face of this fact and ten thousand other facts which conspire to prove Germany a Christian country, you shout "infidelity," "infidelity," against her, exactly as the Jewish rabble of old, when no crime could be proven against our Lord and Saviour, cried—"crucify him," "crucify him." You ask if Richmond will not compare favorably with Baden-Baden. Well, sir, you have asked a fair question, and you are entitled to a frank answer. If I were to dodge it I should be guilty of the same unmanly disingenuousness for which I have already pointed at you

"The slow unmoving finger of scorn."

We, sir, are at this time engaged in a glorious struggle for light, liberty and life. Those dear to us as "light and life" have left the homes of which they were the hope and stay, and gone forth to lay down their precious, young and fresh lives, that we may be free. They are enduring the privations of the camp, braving the perils of the "embattled plain," and running the gauntlet of camp diseases, in defence of our honor and to secure our happiness, and on this high and holy mission they are stricken down daily, on the right and on the left, some with one disease, some with another, and some with the bullets of the foe; yet if you were to visit one of our fashionable hotels after 9 o'clock on almost any evening in the week, you would find assembled there as gay and hilarious a company as ever met at Baden-Baden, enjoying, what in the elegant parlance of the times is termed "a hop." Yes, sir, when they were evacuating Nashville they were dancing in Richmond. Terror reigned in one place, and

"On with the dance, let joy be unconfined,"

was the cry in the other. Now, sir, whatever happened in Baden that you can produce as a Roland for such an Oliver. You charge me with having said that a chance was a "*reality*." I never made any such a ridiculous assertion. It seems to be your continuous misfortune to employ terms of the significance of which you are ignorant, and to employ your ignorance upon terms totally destitute of significance. That which you attempt to present you evidently misunderstand, and that which you cannot misunderstand you almost invariably misrepresent. For instance, you speak of the very "high opinion" I entertain for the colloquial gifts, &c. of certain gamblers, whereas I never have expressed an opinion upon that subject. What I said I stated



not as an opinion, but a fact. To escape the force, however, of a *fact*, which you dare not deny, you call it an opinion, and attempt to saddle me with it. To treat an able opinion as a fact if as a fact you could disprove it, would be decidedly cute, but to treat a simple fact as an opinion, only because, as an opinion, you *can* ridicule it, but as a fact you *cannot*, is worthy only of the special pleading of Possum Holler. A fact is tangible, an opinion is not. You can plead the general issue to the one, but only a set-off to the other. Facts have a substantive existence, whereas opinions are merely ephemeral. I have often known disputants, when hard pressed for evidence, to attempt to wedge in an opinion for a fact, but you are the first one I ever met bold enough to attempt to shrivel a fact down to an opinion. Why did you do it? Was it a *ruse* or the result of unaffected stupidity. If it was a *ruse*, it was an admission in the first place that they are facts you cannot disprove, and secondly, that you seriously dread the force with which you are apprehensive they will surely strike the public mind. If it was honest stupidity, why you

"Still in despite  
Of nature and the stars will write,"

must excite no little amazement. You intimate that I have been guilty of a fatal folly in speaking of gamblers in terms "to which men are not habituated." Whatever I have to say is subject to but one rule. That rule simply requires that whatever is spoken or written, must be the truth. *Aura popularis*, I never court what the public *want to hear*, what will *pay* best or secure the greatest extent of popularity, I never, I may say, *salvo pudore*, pause to inquire. If then, sir, you have not habituated your people in your sequestered ravine, to hear the truth, until you can show where the truth or myself is to blame for that you have no just grounds on which to pick a quarrel with us about it, and until you can refute a statement never marvel at its strangeness. There is a distinction between men who occasionally gamble and professional "sports." A man may gamble even frequently without being justly regarded as a gambler. It is only those who gamble for a livelihood who are gamblers. A farmer may go hunting or fishing every day in the week, but if he tills his farm for a livelihood, he is neither a huntsman or a fisherman. And a farmer just in the same way can play cards for money very frequently and still be a farmer. You say that there is not more than ten per cent of our people who are gamblers. That is an egregious blunder. The truth is there is not three per cent of our people who are gamblers. But when you say that not more than one in ten of our people gamble you blunder again, for out of Possum Holler there are communities where 99 in 100 who are out of the church (and some who are in it) do occasionally

gamble. You ask "is there a law-abiding, proper business man in Richmond or elsewhere in Virginia, who does not repel such a proposal (to license gambling) with indignation?" Yes, sir, there are thousands of Virginia's best citizens who think and say that gambling ought to be licensed. Some of her wisest and purest statesmen say so. The Senate of Louisiana has passed a bill licensing gambling since this controversy commenced. How much the long catalogue of *faux pas* you have perpetrated in this discussion, may have contributed to bring about that result I cannot say, but it is certainly so. Gambling has been licensed for about ten years in California. When General Scott took Vera Cruz and the City of Mexico and put Governors over them under our military governments, gambling was licensed in both places. The roulette was licensed in North Carolina forty years ago, and billiard tables, where men gamble every day for at least the price of a game of billiards, are licensed already in Virginia. You may say the sum is small for which men gamble at billiards. That is very true, but the principle is the same, and if you attempt to defend it on that ground, you will land precisely where a candidate for Congress did in Vermont, who replied when his adversary taunted him with the fact that his sister was the mother of a bastard child, "I don't care if sister Sal did have a bastard child, it was nothing but a little bit of a thing anyhow, and she never would have had that if other people had let her alone." Laws too severe are as fruitless of virtue as are those which are too loose to be effective. There is a *modus in rebus* and in my humble judgment the license system in this instance would prove to be that *juste milieu*. *Hic est aut nusquam quod querimus*, (that which we seek is here or nowhere.) The poet tells us

"Some certain mean in all things may be found,  
To mark our virtues and our vices bound."

If gambling is to be put down at all, it must be by a law that will not seem to aim at that purpose. "Mr. Pitt," says Colton, "at a moment when the greatest jealousy existed in the country on the subject of the freedom of the press, inflicted a mortal blow on this guardian of our liberties without seeming to touch or even to aim at it; he doubled the tax upon all advertisements, and this single act immediately knocked up all the host of pamphleteers who formed the sharp-shooters and tirailleurs of literature, and whose fire struck more terror into his administration than the heaviest cannonade from bulky quartos and folios could produce; the former were ready for the moment, but before the latter could be loaded and brought to bear, the object was either changed or removed, and had ceased to awaken the jealousies or to excite the fears of the nation." In order to ascertain what means can

be made the most available in the suppression of gambling, we must look into *sons et origo* (the causes which produce it.) What are they. First. An unquenchable thirst in the human bosom for excitement. Secondly. Avarice. Thirdly. The cringing awe with which a boot-licking world plays the toady to opulence. Fourthly. The supercilious contempt with which that same obsequious world (to the rich) regard poverty. Fifthly. The fabulous percent. swindling in gambling pays. Sixthly. The impunity that seems to be the prerogative of that popular species of swindling, and lastly, the universal popularity of the vice of gambling. In the first place, then, why do men run after music, eloquence, anecdote, negro minstrels, and harlequinery. Why do men listen with more strict attention to an inflammatory harangue, that may not be argumentative, than to a prosaical discourse, that is, to an anecdote than to a prayer, to an extravaganza than to a lecture, or derive more pleasure from pantomimic drollery than from Hamlet, or hearing an opera they do not understand than from reading an essay they do. Simply because the great desideratum of life is excitement. This is *reponse sans replique*, and the very same reason which humbles the genius of Avon's mighty bard at the dirty footstool of Punch and Judy, asserts the dominion of faro over all other pastimes, to wit, its exhaustless resources for excitement. It was introduced into France to arouse and fire the spiritless and feeble intellect of King Charles the Seventh, and whenever his ministers of State wanted his assent to any measure of public importance, they would get Agnes Sorrel to set his mind in a blaze with a game of faro, and he would soon be put in possession of all the capacity with which he was endowed. Secondly, on the power of avarice *amor nummi—auri sacra fames*, I can summon into court witnesses from all ages of time, aye, from even beyond that flood, and from every clime under the sun, to prove the tyranny of this sordid passion. One poet tells us

"Corroding care and thirst of more  
Attends the still increasing store."

And another, that—

"Few gain to live, (pray listen,) few or none,  
But blind with avarice, live to gain alone."

Virgil exclaims:

*Quid non mortalia pectora cogis,  
Auri sacra fames.*

(Accurst thirst for gold, to what dost thou not urge the human heart.) Hearken to the ravings of Shylock:

My daughter! O my ducats—O my daughter,  
Fled with a Christian!—O my Christian ducats.  
Justice! the law! my ducats and my daughter.

"Why, there, there, there! a diamond gone cost me 2000 ducats in Frankfort! The curse never fell upon my nation till now. I never felt it till now:—2000 ducats in that; and other precious, precious jewels. I would my daughter were dead at my foot and the ducats in her coffin."

The whole human race is affected with *scabiem et contagia lucri*, (the contagious itch for gain.) *Hominis*, (truthfully says Justinian) *quo plura habent eo ampliora cupiunt* (the more we have the more we want.) It was Lord Bacon's avarice that made Pope satirize him as the "meanest of mankind." 'Twas avarice that made Marlboro a boorish brute, and the Duke of Alva a bloody butcher, and it is that self-same consuming flame which swarms the gambling saloons of Richmond to-day with eager and hungry patrons, and always will do it

"While circling time moves round in an eternal sphere."

In the third place volumes of testimony can be piled on volumes mountain high to prove the abject, cringing servility with which a world of moral dastards fawn upon and flatter the opulent. Gold is a God, worshipped, the world round and over, without a temple, an altar or a hypocrit. Listen to Horace:

"*Omnia (enim) res  
Virtus, fama decus, divina humanaque pulcris  
Ditiis parent.*"

which poetically interpreted runs thus:

"Now virtue, glory, beauty, all divine,  
And human powers, immortal gold are thine."



*Cpes* (says Ovid) *irritamenta malorum*, (riches are the incentive to every kind of wickedness,) which is corroborated by the old Italian proverb *dove l'oro parla, ogni lingua tace*, and the latin maxim *auro loquente nihil pollet quavis atio*, (the substance of both of which is gold silences reason. Another one of the muses testifies thus:

"Stronger than thunder's winged force  
All powerful gold can speed its course,  
Through watchful guards its passage make,  
And loves through solid walls to break."

Gibbon tells us that after the Praetorian Guards assassinated the Emperor Pertinax, they determined to put up the diadem of the Cæsars at auction, and that the Emperorship of the *haughty* mistress of the world was actually knocked off at public outcry to the highest bidder, who was an old epicurean millionaire, whose name was Didius Julianus. An obsequious and time-serving Senate ratified the sale, and albeit the superannuated old debauchee, only wore the purple 66 days, when Severus made him take it off somewhat like a Southern overseer makes a refractory African shuck his linen at his bidding. Yet impartial history must hand him down to the last hour of expiring time among Rome's Emperors, and is it not recorded in Holy Writ that for thirty pieces of silver one Judas Iscariot sold the life of his Lord and Master. Do you tell me that man is not as depraved as he was then, I tell you he is more so, and if Judas Iscariot were on earth to-day, he would be a gentleman in comparison with some specimens of his own race, and some other races too, who are here. *Thirty pieces of silver*. Why, sir, that sum now *in silver* could purchase a kiss to betray the Messiah, if he was on earth, and a kiss a-piece for each one of his disciples. Look around you and scrutinize the conduct of your fellow men who speak the same tongue and *pretend* to worship the same God you do, and you will find money working moral miracles as astounding as were ever wrought in the physical world by divine inspiration. You will find parents coercing their daughters to go to the altar with men they know they loathe, thereby becoming a party to the rape of their own helpless children. 'Tis in vain that the child on bended knees piteously prays for deliverance from "these hated nuptials." Master Walters are "few and far between." The trade has been struck, and the brutal bridegroom demands to the letter his bond in flesh. Tears may stream in torrents, moans, and groans, and screams may wail the dirge of a broken heart, nevertheless the ravisher being rich, and having paid for his prize (in being rich) the rape must and does proceed. What is the proper light in which to regard a marriage where the female consents to wed only because the bridegroom is wealthy. She does not pretend to love him, but *thinks* she can learn to *respect* him, (which is not as much as it is said the Parisian courtesans do, for many of them do *love* their paramours.) It amounts simply to a contract to live with a man until one or the other dies, as children may be one of the results of this arrangement, and as society has some ridiculously fastidious notions about the *forms* of law, in order to legitimatise the children and flatter the conventionalities of society, a *formal* ceremony is gone through with, and after that is over they are regarded *legally* as man and wife, when *animo et facto* she is but his mistress and living with him in legalized prostitution. She has driven a right sharp trade. She has managed to remain in genteel society, to protect her children against illegitimacy, and she has avoided the vicissitudes and the infamy of a harlot's life, notwithstanding she is as unmitigated a harlot as ever paraded her charms in market to tantalize the hot blood of lecherous youth. Who can wonder, then, when we see what gold has done, and know what gold can do, that men will gamble to accumulate it; more especially, when on the other hand, in the fourth place, we remember how the poor and humble always have been regarded and treated by the heartless and haughty.

"See yonder poor, o'erlabored wight,  
So abject, mean and vile,  
Who begs a brother of the earth  
To give him leave to toil!  
And see his lord'y fellow worm  
The poor petition spurn,  
Unmindful tho' a weeping wife  
And helpless offspring mourn."

No man could report the condition of his finances with figures any better than Burns did in these lines:

"I've seen sae monie changefu' years,  
On earth I am a stranger grown;  
I wander in the ways of men,  
Alike unknowing and unknown,  
*Unheard, unpitied, unrelieved,*  
I bear alane my lade o' care,  
For silent, low, on beds of dust  
Lie a' that would my sorrows share.

The poor may he pure and upright;

"But then to see how the're negleckit  
How huff'd and cuffed and disrespeckit.  
\* \* \* \* \*  
I've noticed, on our Lalrd's court-day,  
An' mony a time my heart's been wae,  
Poor tenant bodies, scant o' cash,  
How they maun thole a factor's snash:  
He'll stamp and threaten, curse and swear,  
He'll apprehend them, pained their gear,  
While they maun stan' wi aspect humble,  
An' bear it a' an' fear an' tremble,

And another poet has said:

"When smiling fortune spreads her golden ray  
All crowd around to flatter and obey;  
But when she thunders from an angry sky,  
Our friends, our flatterers and our lovers fly."

*Paupertas* (says Lucan) *fugitur totoque arcessitur orbe*, (poverty is shunned and persecuted, and looked upon as a crime all over the world.) Horace on the same point says:

*Magnum pauperies opprobrium jubet  
Quidvis et facere et pati.*

(Poverty, which is considered a great reproach, forces us to attempt or submit to anything.) It was what the ploughman bard had seen the trampled poor suffer under the grinding heel of the rich, which made him exclaim:

"Man's inhumanity to man  
Makes countless thousands mourn."

And we all know that

"Want is the scorn of every wealthy fool,  
And wit in rags is turned to ridicule,  
That high descent and meritorious deeds,  
Umbled with wealth are viler than sea weeds."

Marvel, then, who can! at the *craignez honte* with which sensitive pride recoils from this moral *cobra capella* poverty. Terror-stricken and appalled at the threat of his deadly fang, thousands have fled *usque ad aras*—to the very horns of the altars of chance for protection. Before entering upon the discussion of the fifth cause which is productive of gaming, inasmuch as *faro* is the monarch of all games of chance at cards, I will have something to say specially of it. The name by which it was known in Egypt when Pharoah was on the Egyptian throne was Turgot, (see Noel's French dictionary of events and inventions) and one theory about the derivation of its name is, that the name "*Faro*" was substituted for Turgot to flatter King Pharaoh and propitiate his patronage. Another is that its cognomen is derived from the Greek *faros* which means fire, because of the fire with which it consumes the human feelings, and it was the opinion of Marquis de La Fayette, who introduced the game on this continent and played it in the presence and in the marquee of the Father of his Country, that this is the more plausible derivation. There is still another, however. It seems that between Italy and Sicily there is a strait called *Faro* of Messina, where the tide ebbs and flows every six hours, and the fickleness of lucks tides in *Faro* where it ebbs and flows every six minutes, furnishes a felicitous illustration of the whimsicalness of the tides of *Faro* de Messina, and the game may have derived its name from that fact. It is only, however, when it is honestly played that it is characterized by so many mutations. In it, then, there is not a trick that approximates the slightest similitude to what is termed a legitimate *finesse*. You can choose the card on which you will bet, it has but two places to fall and you can choose which one of those places you will bet it will fall. Not a word is spoken, not a *lie* is told, not a deception is practised. There is in it what is technically termed

"splits" and "cases." The "splits" give the dealer an advantage of about five per cent, but you can avoid them by betting only on the "cases," when the result is purely a matter of luck on which there is no per cent. When, however, a sporting Neptune waves the trident of fraud over his Faro-box, its tide can be made to flow with the resistless volume and velocity of the gulf stream.

"Like to the Pontiac sea  
Whose icy current and compulsive course  
Ne'er feels retiring ebb but keeps due on  
To the Propontic and the Hellespont."

Luck vanishes, then, and the result is the offspring of *tour d'adresse*, and the dealers' advantage is so incalculable that "few and far between are the men who, goaded by the spur of avarice, proscribed by the frown of society, flattered by the siren songs of Mammon, threatened by the fatal fangs of the hooded snake, poverty, and deterred by no legal penalty, possess the nerve to resist the dazzling temptation to perpetrate fraud, such enormous profits holds out to frail flesh. *Les vertus* (says Rouchfaucald) *se perdent dans l'interet, comme les fleuves se perdent dans la mer*, (our virtues lose themselves in our interest, as the rivers lose themselves in the ocean,) and it has been truly said—

"The man who thirsts for gold hath left the post,  
Where virtue placed him and his arms hath lost."

And Juvenal bluntly asks *Quid salvis infamia nummis*, (what matters infamy so long as your cash is safe,) and *appropos* are these lines too :

"For though compelled beyond the Tiber's flood,  
To move your tanyard, swear the smell is good,  
Myrrh cassia, and frankincense; and wisely think  
*That what is lucrative can never stink.*"

Which fully accords with Juvenal's idea, to wit—*lucri bonus est odor ex re qualibet* (the smell of gain is good from *anything whatever*,) which must of course include cards and dice, and the same sentiment is taught in the lines,

"Ye grovelling louts let money first be sought,  
Virtue is only worth a second thought."  
\* \* \* \* \*  
"Get wealth and power if possible with grace,  
If not by any means get wealth and place."  
\* \* \* \* \*  
My friend get money get a large estate,  
By honest means, but get, at any rate."  
\* \* \* \* \*  
"Rarely they rise by virtue's aid who lie  
Plunged in the depths of hell's less poverty."

(You certainly must admit, sir, that I am making up for my neglect of Perseus.) In the sixth place there are some crimes which are *malum in se*, and others which are only *malum prohibitum*, and it is to the latter class gaming belongs. I never said that gambling had *always been* a crime of "no ordinary magnitude." When Barsabas and Matthias gambled, it was no crime at all. It had not then been prohibited. When God gave the decalogue to Moses on Sinai's flaming summit, he did not proscribe gambling, and it is not inhibited in the old or new Testament, and the laws of Virginia tolerate it to-day (on the turf.) *Per se* it is not a crime neither of one magnitude or another. Legislators have made dealing Faro a crime, but it took Legislation to do it. Why, then, I ask did the Legislators of Virginia make that a crime, which the all-wise Ruler of the Universe did not in the omniscience of his infallible wisdom, designate as such. For the simple reason that the craft and cupidity of man has introduced into all manner of gaming, so much subtlety and villainy, that to prevent the one they thought they had to forbid the other, and that is precisely *where* they blundered, and *why* they failed. If gambling always had been conducted honestly it never had been forbidden legally, and the stupendous blunder upon which the Legislatures of all the States have stumbled, is that they have forbidden gambling, which is not when honestly conducted *per se* a crime, and refused to forbid gambling frauds which are not only *malum in se*, (for the 8th commandment says thou shalt not steal, and between swindling at cards and stealing the difference is purely technical,) but makes gambling criminal, the final result of which is that they have refused to license gambling but have licensed swindling in it—placed integrity at a discount, and offered a premium for swindling. And when the laws tolerate cheating, and cheating



pays enormous profits, and men who are poor are despised while the rich are lionised because of their riches, can it excite surprise that avaricious men gamble and swindle. "Lead us not into temptation," was the prayer of a God. Yet, sir, you and your fanatical aiders and abettors of swindling at cards set before frail and feeble flesh the seductive temptation to swindle, which are to be found in mammoth profits and untrammelled impunity, and then talk of rousing the bench, and rousing the bar, and rousing the pulpit, and rousing the people against gambling, and you might just as well talk about rousing a feather to check the headlong sweep of a prairie fire before a Northwestern tornado. I am told that nothing is more proverbial in Richmond than that gamblers are the most devoted of husbands and tender of fathers. They spare no pecuniary sacrifice to secure to their homes comfort, or to their children the accomplishments of education. They reason thus wise, man's life is but a span; to-morrow I shall be in my grave and forgotten. Wealth is the standard of merit. If I leave my children rich their cotemporaries will not ask *who* was his or her father, but *what* is he or she worth, and I will see to it that the answer to that question shall be satisfactory. By a little swindling I can coin a fortune. There is no law against swindling, and that fortune I will at once proceed to coin. Abolish this swindling and you will break up all such speculations. Cheating is of no modern origin. Laban swindled Jacob when he contracted to give him for seven years' labor his beautiful daughter Rachel, and then palmed off on him her sore-eyed sister Leah, and then Jacob got even with Laban by swindling him *en revanche* in that trick he played on his cattle, by which he caused their young to be spotted and striped. In fact, Jacob seems to have been born a swindler—he swindled his poor old blind father out of his blessing, and his own brother out of his birthright; and those rascally Israelites that made that bet with Samson won it by a fraud, as his answer proves, to wit, "and he said unto them, if ye had not ploughed with my heifer ye had not found out my riddle," and from that day to this all manner of men have been ploughing with all manner of heifers, and the law which you are pleased to brand in a windy way as a "nefarious proposal" will stop this heifer business; yet you are opposed to it, ergo in favor of ploughing with other people's heifers. Of this you may rest assured, that until the heifer business is stopped the riddle business will go on, but license the one and you will diminish it and stop the other, as William Pitt, when he taxed advertisements muzzled the press. There is but one basis on which any business can keep its place among popular avocations, and that is its profits. Cut down the profits of gambling, and you will break down the business. As the law now stands, if you are swindled at cards it is morally a high crime, but as it occurred at a game of cards, which is also legally a crime, you having been *particeps criminis* in one, have to submit to the other. *Sceleris velandum est scelus*, (one crime has to hide another;) and moreover *omne magnum contritum in se minus*, (the greater contains the less.) Of this state of things there are those who live only to avail themselves. Make card frauds felonies, and you will proselyte all such votaries. They only play when it will pay. Fair play is slow pay. Foul play fat and fast pay. Cut off cheating at cards and the *cheratier d'industrie* will cut the calling. It is the impunity swindling enjoys that plays the part of the wily serpent in the garden, and holds out to hungry avarice the forbidden fruit, and who can wonder that the fruit is grabbed greedily and devoured voraciously, when the grabber and biter knows there is no hell! nay, not even a purgatory. If then you mean to legislate to any purpose you must hold up before these wayward descendants of Adam and Eve the terrors of a nakedness that fig leaves can never hide. There is an old Frisian proverb which says *deer de nutt wol yte mot ze kreeke*, (he who will eat the nut must crack it) or as the Latin poet has it, *qui e nucis nucleum esse vult, frangat nucem*, (he who would eat the kernel must crack the shell.) Yet our Legislatures seem to think that they can get at the kernel of one nut by cracking the shell of another, and accordingly they have made that a crime which was not a crime, and refused to punish as a crime that which is, and always was a crime, wherein they have committed a crime in that they have encouraged crime. Licensing gambling will not be raising a revenue from crime, because if the act is properly constructed, it will eradicate from gambling, that which makes it a crime. In the last place is not the popularity of gambling universal, and who ever heard *post homines natos* of the conviction of any man of a crime committed at the same time by a whole community. Look into the history of Louisville's bloody Monday," of the Philadel-

phia riots, or the Erie mobs, and give me the name if you please, of one single man who was ever convicted and executed for participating upon those turbulent and sanguinary occasions. LUCAN was right when he said *Quidquid multis peccatur inultum est*, (the guilt which is committed by many must pass unpunished.) Therefore, of gambling it may be said—*Stat mole sua* (firm in its impregnability unmoved it stands,) and in anticipating its downfall you remind one of the rustic of whom Horace speaks, when he says:

*Rusticus expectat, dum defluat annis; at ille  
Labitur et labetur in omne volubilis ævum.*

(The peasant [in the fable] sits waiting on the bank till the river shall have passed away, but still the stream flows on, and will continue to flow forever,) and the stream of gaming though all Possum Holler were to sit down upon its banks to wait until it passed away, will, as long as gold is a God, avarice a passion, wealth a virtue, poverty a crime, and as card-frauds are not forbidden, and the waves of such frauds continue to wash up quartz by the bushel, so long will that stream flow on and on in *secula seculorum*.

"The baffled sons must feel the same desires,  
And act the same mad follies of their sires."

*On a beau prêcher à qui n'a cure de bien faire.* (It is in vain to preach to those who care not to mend.) It is not with reason that you can combat the fire that is in the blood. Reason is not equal to every emergency. If you undertake to get to Heaven by the light of reason you will indubitably land in Hell. The poet was right who said:

"Yet in the vulgar this humor's bred,  
They'll sooner be with idle customs led,  
Or fond opinions such as they have store,  
Than learn of reason or of virtues lore."

*Exemplo plus quam ratione vivimus*, (we live more by example than reason;) and moreover, *difficili est longum subito deponere anorem*, (it is difficult at once to lay aside a confirmed passion.) Attempt to put down gambling by prosecutions and what will be the result? You will succeed about as well as—

"— he who stems a stream with sand  
And fetters flame with flaxen band."

You may benefit but cannot injure the gamblers. You will shorten their dinner tables only to lengthen their Faro-tables. You will increase their circumspection, and diminish their accommodations and without lessening their patrons you will double their profits. You will drive them into a new regime whereby they will be enabled to shuffle off a certain class of seedy gentry, who now only live *dar del naso dentro*, (to thrust their feet under other men's tables—sponge.) To the gamblers this will be a *trouvaille*, but it will be a hard lick on the smell-feast. You will substitute cold snacks for hot and savory viands on their tables and *chasse cousin* for the best qualities of Otarde, Bumgardner and Madam Cliquot on their side-boards. Their meetings you may cause to be conducted more *ex occulto*, but none the less frequent will they occur. They will meet—a *la derobee*. They will form their secret societies and organize mystic brotherhoods, a la sons of Malta, and go largely into grips, signs and counter-signs. They will have their cabalistic *mot de l'orde* and *mot du guet*, pass-words, watchwords and pass-keys which will enable them to laugh to scorn the vigilance of your police and the impotency of your laws. They will rarely assemble twice in the same place, but they will have their rosets and bannerets, which will, to the initiated, point the place and "instant the time," as distinctly as Malise ever said—

"The muster place is Lanrick mead,"

when

"He vanished, and o'er moor and moss,  
Sped forward with the Fiery Cross."

So now if you do want to put down gaming, rouse the bench, rouse the press, rouse the politicians and rouse the people to license it, and when you succeed fully in the one you will partially in the other.

ERSKINE.









